

09/26/2006

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

RIGHT NUMBER: 67-7315B

NAME AND ADDRESS: RODNEY C PANIKE
2112 WEISER RIVER RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
110.700 AFY

PRIORITY DATE: 06/22/1977

POINT OF DIVERSION:

T11N R04W S27 SWSESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.240 CFS 110.70 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 October 31 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 R04W S27	NESW	40.00	T11N R04W S27	SESW	38.00
T11N R04W S34	NENW	37.00	T11N R04W S34	NWNW	40.00
T11N R04W S34	SWNW	40.00	T11N R04W S34	SENW	40.00
T11N R04W S34	NESW	36.00	T11N R04W S34	NWSW	35.00
T11N R04W S34	SWSW	2.00			

308 ACRES TOTAL

Right Nos. 67-7154B and 67-7315B are limited to the irrigation of a combined total of 308 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. 67-7315A is also diverted through point of diversion described above.

The right holder shall maintain the measuring device, access port, or other device as part of the diverting works.



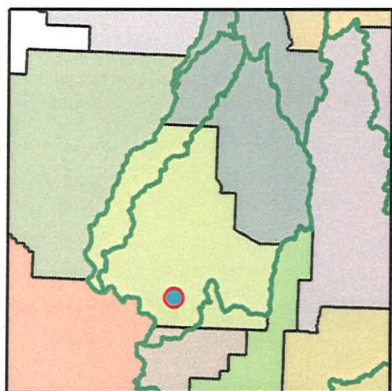
Idaho Department of Water Resources

SRBA Recommendation:

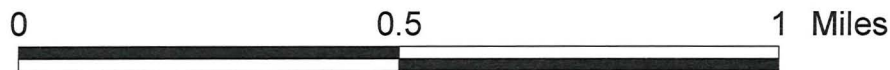
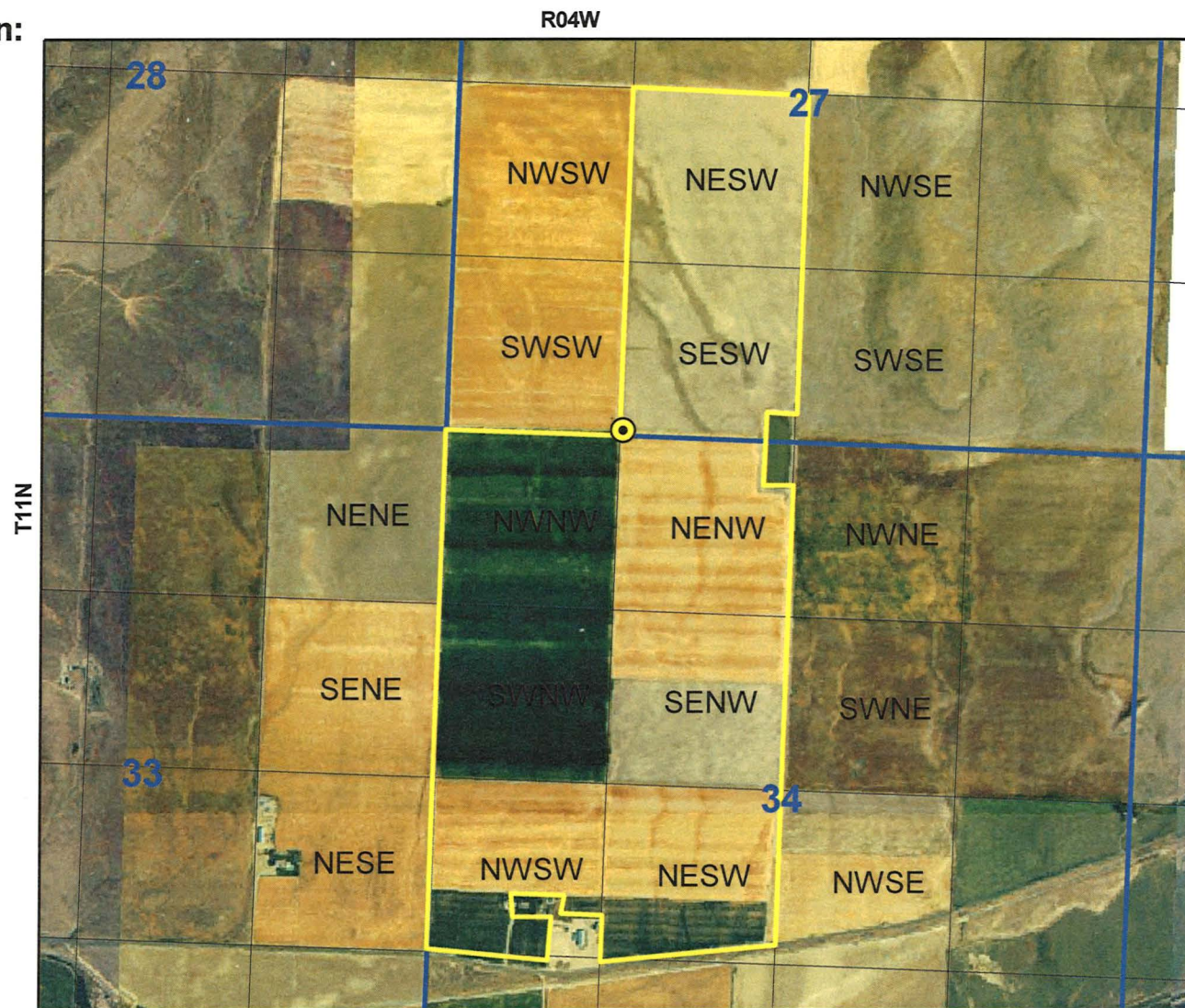
67-7315B

Legend

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



Washington County
IDWR Basin 67



Prepared by J. Dean
On Tuesday, September 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7315B V1

WATER RIGHT NUMBER: 67-7315B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY C PANIKE 2112 WEISER RIVER RD WEISER, ID 83672 (208)549-1899
Original Owner	C ROBERT WOODS 2076 WEISER RIVER RD WEISER, ID 83672 (208)549-0493

Priority Date: 06/22/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.240 CFS	110.70 AF
	<u>Total Diversion:</u>	0.240 CFS	110.70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 27, Twp 11N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 04W 27									40.0			38.0					78.0
11N 04W 34					37.0	40.0	40.0	40.0	36.0	35.0	2.0						230.0

Total Acres: 308

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 October 31 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. F05 Right No. 67-7315A is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7315B V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E55 Right Nos. 67-7154B and 67-7315B are limited to the irrigation of a combined total of 308 acres in a single irrigation season.
5. R36 The right holder shall maintain the measuring device, access port, or other device as part of the diverting works.

Remarks:Comments:

1. mcase 4/9/2004 Priority Date

Comment: Basis of claim is miscoded.

2. mcase 4/9/2004 POU

Comment: The sum of the total irrigated acreage of the two split water rights is greater than the licensed parent right. I created the POU using the licensed acreage.

3. mcase 4/9/2004 Quantity

Comment: The parent right is only licensed for an annual diversion of 209.9 AF, yet the total annual diversion claimed is 1200 AF. The parent right is licensed for a diversion rate of .46 csf, yet the claimed diversion rate is 6.4 cfs.

4. mcase 4/9/2004 POU

Comment: Overlaps with Claim 67-7154-B.

5. mcase 5/12/2004 Period of Use

Comment: Licensed Period of Use shorter than Standard Season of Use. Recommend shoulder remark.

6. jdean 9/26/2006 Amended Claim

Comment: This claim was amended to match the license. The recommendation is based on the claim/license.

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		308

Combined Water Rights: 67-7154B , 67-7315B

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-7315B V1

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	4/9/2004 12:08:44 PM	mcase			Active
POD	4/9/2004 12:11:08 PM	mcase			Active
Source	4/9/2004 12:11:19 PM	mcase			Active
Use	4/9/2004 12:16:38 PM	mcase			Active
Season	4/9/2004 12:17:05 PM	mcase			Active
Quantity	4/9/2004 12:23:03 PM	mcase			Active
POU	4/9/2004 12:24:19 PM	mcase			Active
Season	5/12/2004 3:28:02 PM	mcase			Active
Summary			09/26/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	5/12/2004 3:28:04 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	4/9/2004 12:10:52 PM	mcase	Edited point location
POD	4/9/2004 12:11:08 PM	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	4/9/2004 12:11:19 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/9/2004 12:12:40 PM	mcase	Edited shape boundary
Quantity	4/9/2004 12:23:03 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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7315B V1

Priority Date	4/9/2004 12:08:45 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly?
Use	4/9/2004 12:16:38 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?
Season	4/9/2004 12:17:05 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?
POU	4/9/2004 12:24:19 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?
POU	4/9/2004 12:15:33 PM	mcase	Edited shape boundary
Summary	9/26/2006 4:59:15 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? (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?
POU	2/27/2004 9:45:42 AM	awarntje	Edited shape boundary

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: A67-07315B
Date Received: 9/28/1989
Receipt No: 6011846
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY C. PANIKE 208-549-1899
Address: 2112 WEISER RIVER RD.
WEISER, ID 83672

2. Date of Priority: JUN 22, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	04W	27	SW	SE	SW		WASHINGTON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	6.400		

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

8. Total consumptive use is 1120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	04W	27	NE	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							80.0

A67-07315B

Page 1

Date: 09/28/89

SCANNED
APR 19 2004

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	04W	34	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
Section Acres								240.0
Total Acres								320.0

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:

A67-07154B, CRANE CREEK STORAGE WATER

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: WELL, 12" CASING, 450' DEEP, 20 HP PUMP, MAINLINE TO 49 AF HOLDING POND, TWO PUMPS FROM POND TO SPRINKLERS. RIVER PUMPS ALSO DIVERT TO SAME POND (SEE CLAIM NO. A67-07154B). THIS SYSTEM IS ALSO USED FOR CLAIM NO. A67-07315A UNDER SEPARATE OWNERSHIP.

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): Arday C. Parake Date: 9-28-89
_____ Date: _____

State of Idaho)
) SS.
County of ADA)

Subscribed and sworn (or affirmed) before me this 28 day
of SEPTEMBER 19 89

 Jeff Peppersack
Notary Public

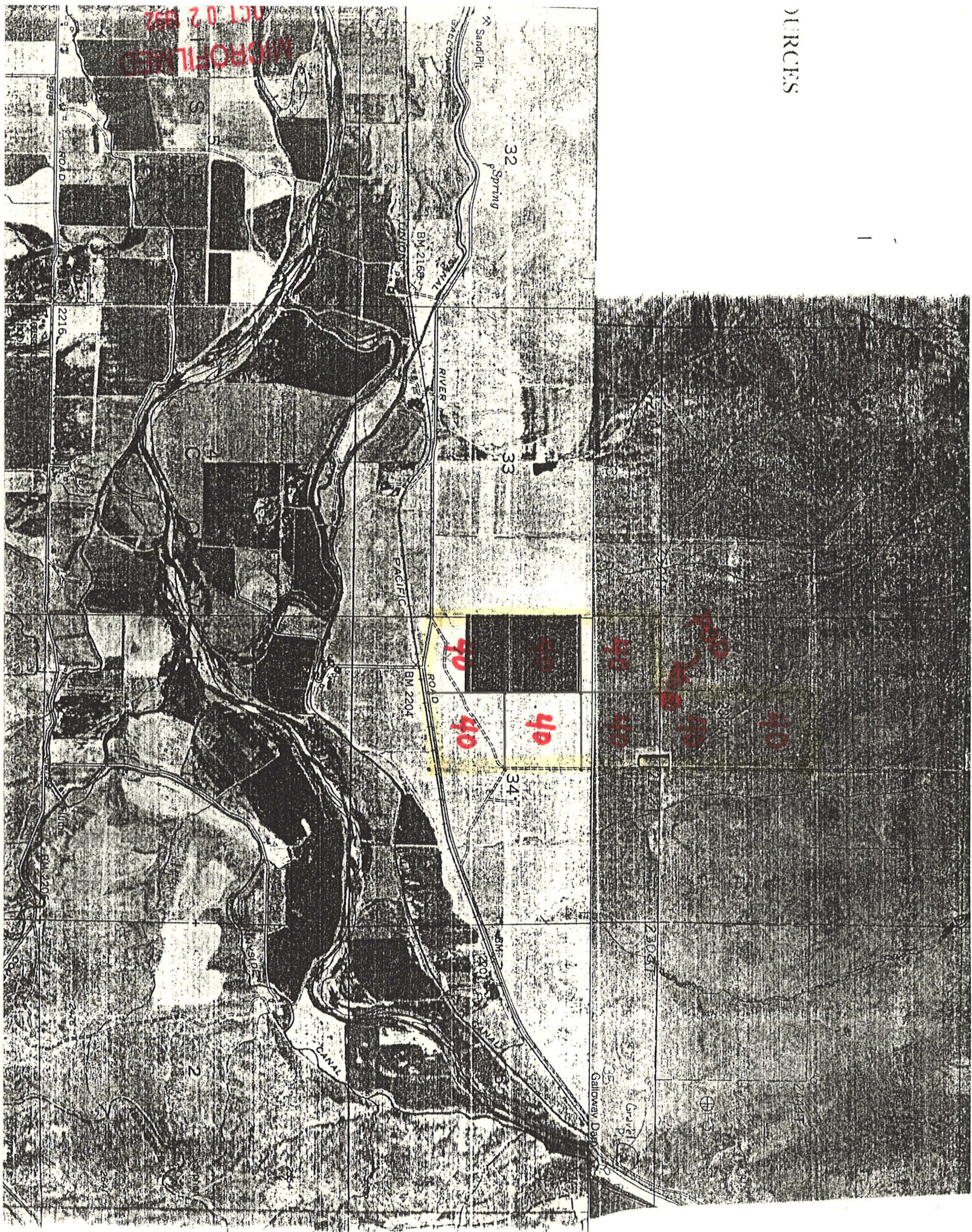
Seal

Residing at _____

My Commission Expires _____

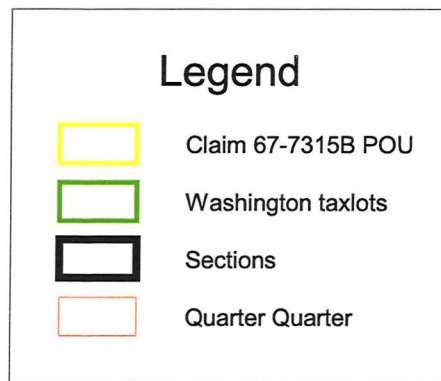
Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

— 1



Idaho Department of Water Resources

67 - 7315B



T 11N, R 04W, Sections 27, 34



0.2 0 0.2 0.4 0.6 Miles

Prepared by Morgan Case
April 13, 2004
1987 True Color Aerial Photo

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7315B V1

WATER RIGHT NUMBER: 67-7315B V1

Owner Type Name and Address
Current Owner RODNEY C PANIKE
2112 WEISER RIVER RD
WEISER, ID 83672
(208)549-1899
Original Owner C ROBERT WOODS
2076 WEISER RIVER RD
WEISER, ID 83672
(208)549-0493

Priority Date: 06/22/1977

Basis: Decreed

Status:

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/31	6.400 CFS	
	<u>Total Diversion:</u>	6.400 CFS	

Location of Point(s) of Diversion

GROUND WATER SW1/4SE1/4SW1/4 Sec. 27, Twp 11N, Rge 04W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	04W	27	40.0	40.0	40.0	40.0	80.0
11N	04W	34	40.0	40.0	40.0	40.0	240.0

Total Acres: 320

Conditions of Approval:

Remarks:

DRAFT

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7315B V1

Comments:

1. mcase 4/9/2004 Priority Date
Comment: Basis of claim is miscoded.

2. mcase 4/9/2004 POU
Comment: The sum of the total irrigated acreage of the two split water rights is greater than the licensed parent right. I created the POU using the licensed acreage.

3. mcase 4/9/2004 Quantity
Comment: The parent right is only licensed for an annual diversion of 209.9 AF, yet the total annual diversion claimed is 1200 AF. The parent right is licensed for a diversion rate of .46 cfs, yet the claimed diversion rate is 6.4 cfs.

4. *Period of Use shorter than standard. Re. Should be Bank*

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	4/9/2004 12:08:44 PM	mcase			
POD	4/9/2004 12:11:08 PM	mcase			
Source	4/9/2004 12:11:19 PM	mcase			
Use	4/9/2004 12:16:38 PM	mcase			
Season	4/9/2004 12:17:05 PM	mcase			
Quantity	4/9/2004 12:23:03 PM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/9/2004 12:10:52 PM	mcase	Edited point location
POD	4/9/2004 12:11:08 PM	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?

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

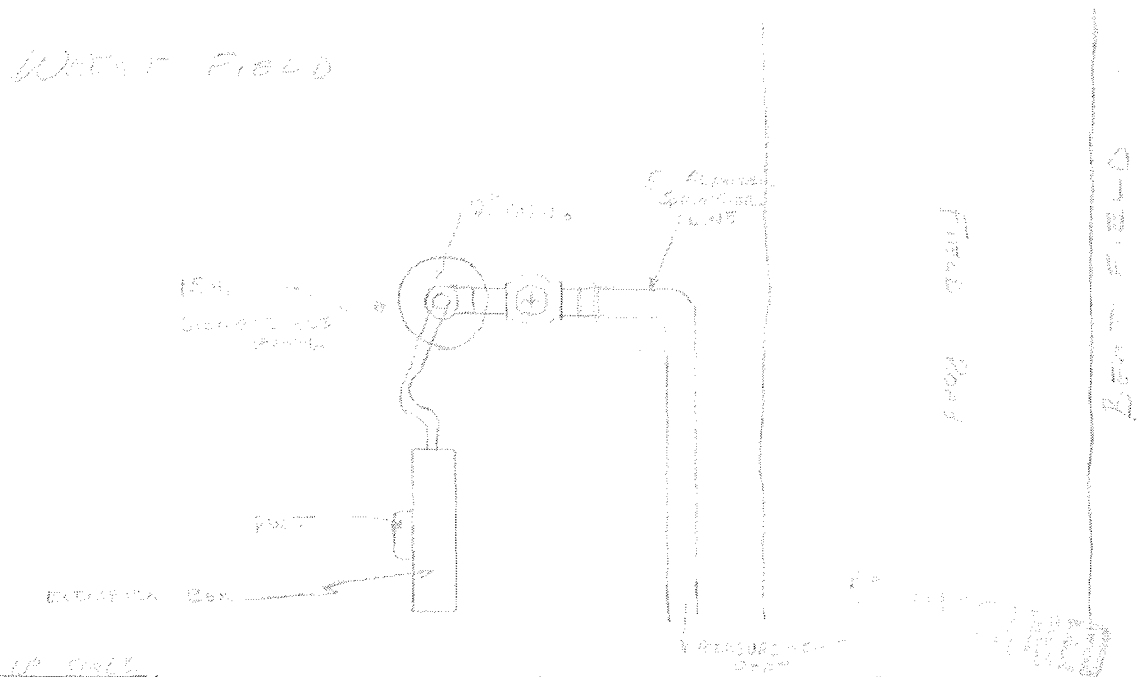
1. Owner: Randy & Phyllis 412 O'Brien Avenue Permit No. 67-7154
Phone No. 502-1299
Current Address: St 2 Box 77 Henry ID 83672
2. Accompanied by: Phyllis & Randy EXAM. DATE: 5/16/88
Address: St 2 Box 77 Phone No. _____
Relationship to Permit Holder: Landowner
3. Source: Col. 2-13-72 tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-7154 Randy & Phyllis St 2 Box 77
Henry ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 10' SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MAY 21 1992