

11/14/2006

RECEIVED
DEC 15 2006
DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 67-7363

DONALD E HARVEY
2216 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4257

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

We do not own any part of this property.

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

Void

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

____ I AGREE with this proposed recommendation, no changes need to be made.

DATE:

12/11/06

SIGNATURE:

Donald E Harvey

Please print your name:

Donald E Harvey

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

About ten pieces - no info. in some tax lots

*Irene E Schuerkamp
PO Box 311
Council ID 83612*

*Jack O & Paula S Roberts
PO Box 702
Council ID 83612*

*John B & Julie A Pate
PO Box 717
Council ID 83612*

*Malcolm D Hodges
PO Box 311
Council ID 83612*

*Danna L Barnhart
PO Box 165
Council ID 83612*

*Raymond Jerome Hammer
1903 NE Northgate Way
Seattle WA 98125*

*Robert J Gratton
PO Box 278
Council ID 83612*

SCANNED

DEC - 6 2006

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: **A67-07363**
Date Received: 12/15/1989
Receipt No: W007142
Received By: _____

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

1. Name: DONALD HARVEY 208-253-4257
Address: HC 62 BOX 1315
COUNCIL ID 83612

2. Date of Priority: OCT 26, 1977

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	15	NE	SW	NW		ADAMS

5. Description of diverting works:
15 HP PUMP AND PIPELINE, DITCHES, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.320		

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

8. Total consumptive use is 48.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	15	NE	NW		IRR	2.0
			SE	NW		IRR	14.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	16.0
					Total Acres	16.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMANT DECLINED FILING CLAIM FOR THIS WATER RIGHT ON 9/19/89.
DVS
CLAIM SUBMITTED 12/15/89 BY CLAIMANT DECIDING TO CLAIM THE
LICENSED WATER RIGHT. LH

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 05 1994

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

F167-07363

Date Received

12-15-89

Receipt Number

W007142

RECEIVED

DEC 15 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) HARVEY, DONALD Phone (208) 253-4257Mailing Address HC 62, Box 1315 Zip 836122. Date of Priority (Only one (1) per claim) 10/26/19773. Source of water supply (a) WEISER RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 16 N Range 01 W Section 15,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. PUMP IN RIVER WITH PIPELINETO DITCHES & FLOOD IRRIGATION SYSTEM.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/15 to 07/15 amount 0.32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 48.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	01W	15					2.0			14.0									16.0

Total number of acres irrigated 16.0

11. In which county (ies) are lands listed above as place of use located? ADAMS

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: THIS CLAIM IS FOR A LICENSED FLOOD WATER RIGHT

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Last Name HARVEY Ident No. A67-07363

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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AUG 05 1994

Last Name HARVEY

Ident No. A67 07363

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 67-07363

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) ☒ Donald Harvey Date 12/13/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADAMS) SS.

Subscribed and sworn (or affirmed) before me this 13th day of Dec 19 89

SEAL

Notary Public Donna E. Smith

Residing at BOISE, ID

My Commission Expires 11/08/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name HARVEY Ident. Number 67-07363

Copies White-State, Yellow-Claimant

Water Right Number - A67-07363

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARVEY

DONALD

1 - HC 62 BOX 1315

2 -

3 -

City- COUNCIL

State- ID Zip- 83612

Phone - 208-253-4257

*** O - ORIGINAL OWNER ***
HARVEY

LILLIAN

1 - STAR RT.

2 -

3 -

City- COUNCIL

State- ID Zip- 83612

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
10/26/1977 14 WESTERN A - ABANDONED+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WEISER RIVER SNAKE RIVER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

16N 01W 15 SW NW (3) ADAMS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 07/15 0.320+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.320 48.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
16N 01W 15 NE NW 2.0 01 IRRIGATION (3) ADAMS
16N 01W 15 SE NW 14.0 01 IRRIGATION (3) ADAMS

Total Acres: 16.0

+ - - Diversion Means - 15 HP PUMP AND PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
CLAIMANT DECLINED FILING CLAIM FOR THIS WATER RIGHT ON 9/19/89.
DVSMICROFILMED
AUG 05 1994

Water right number - A67-07363

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/20/1985	Old Judicial District	-
Claim Received Date	- 09/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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Water Right Number - 67-07363

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARVEY

LILLIAN

1 - STAR RT.
2 -
3 -City- COUNCIL
Phone -

State- ID Zip- 83612

HARVEY

DONALD E.

1 - STAR RT.
2 -
3 -City- COUNCIL
Phone -

State- ID Zip- 83612

+ - - Priority Date - - +
10/26/1977+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
WEISER RIVER+ - - - - Tributary - - - - - +
SNAKE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

16N 01W 15 SW NW (3) ADAMS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/15 07/15 0.320 64.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.320 64.00+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County16N 01W 15 NE NW 2.0 01 IRRIGATION (3) ADAMS
16N 01W 15 SE NW 14.0 01 IRRIGATION (3) ADAMS

Total Acres: 16.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.AUG 05 1994
MICROFILMED

Water right number - 67-07363

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 05/20/85 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 05/20/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 67
Licensed Date - 04/08/1985	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Harney, DonaldCLAIM IDENT. NO. AL67-07363DATE RECEIVED 12-15-89 RECEIPT # 2007147 FEE PAID \$ 66.00 FEE REQ'D \$ 66.00

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	<u> </u>	*
2. Is a priority date entered?	<u>X</u>	<u> </u>	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	<u> </u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	<u> </u>	*
(b) Is a tributary to entered? (if required) N/A <u> </u>	<u>X</u>	<u> </u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u> </u>	*
5. Is there a description of the diverting works?	<u>X</u>	<u> </u>	
6. Are the water uses appropriate for the form?	<u>X</u>	<u> </u>	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	<u> </u>	
Is a quantity claimed for each use?	<u>X</u>	<u> </u>	*
7. Is a total quantity claimed entered?	<u>X</u>	<u> </u>	
8. If required is a consumptive use entered? N/A <u> </u>	<u>X</u>	<u> </u>	
Is the consumptive use correct? N/A <u> </u>	<u>X</u>	<u> </u>	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	<u> </u>	*
If multiple domestic, is single ownership indicated?	<u>X</u>	<u> </u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u> </u>	*
11. Is (are) the county(ies) entered?	<u>X</u>	<u> </u>	
12. Is the ownership of p.u. checked?	<u>X</u>	<u> </u>	
13. Are other water rights listed or "none" indicated?	<u>X</u>	<u> </u>	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u>	<u>X</u>	<u> </u>	
15. Is the basis of the claim indicated?	<u>X</u>	<u> </u>	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u> </u>	<u>X</u>	<u> </u>	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	<u>X</u>	<u> </u>	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>	<u>X</u>	<u> </u>	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>	<u>X</u>	<u> </u>	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	<u> </u>	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u> </u>	*
21. Was this claim filed on time?	<u>X</u>	<u> </u>	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	<u>X</u>	<u> </u>	*
22. Is the fee enclosed correct? Exempt <u> </u>	<u>X</u>	<u> </u>	*

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	YES	NO
23. Is this claim being rejected and returned to claimant?	<u> </u>	<u>X</u>
24. Can this claim be data entered?	<u>X</u>	<u> </u>
25. Was claim modified?	<u> </u>	<u>X</u>
If yes, do modifications require notification to claimant? Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: ZD Date 4-15-94
 Claim data entered by: ZD Date 6-20-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

Claimed & rec as licensed.

Page 1

05/21/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7363 V1

WATER RIGHT NUMBER: 67-7363 V1

Owner Type Name and Address
Current Owner DONALD E HARVEY
 HC 62 BOX 1315
 COUNCIL, ID 83612
 (208)253-4257
Original Owner LILLIAN HARVEY
 STAR RT
 COUNCIL, ID 83612

Priority Date: 10/26/1977

Basis: License

Status:

Source
WEISER RIVER

Beneficial Use
IRRIGATION

From To
4/15 to 7/15

Tributary
SNAKE RIVER

Diversion Rate
0.320 CFS

Annual Volume

Total Diversion: 0.320 CFS

64 Afs

Location of Point(s) of Diversion

WEISER RIVER
ADAMS County

SW1/4NW1/4

Sec. 15, Twp 16N, Rge 01W, B.M.

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	01W	15													16.0

Total Acres: 16

Conditions of Approval:

Remarks:

Comments:

1. segbert 5/21/2004 Period of use
Comment: Needs a shoulder remark

Dates and Other Information:

water from Lost Valley Res. also used,

Page 2

05/21/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7363 V1

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False
Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	5/21/2004 10:00:12 AM	segbert			
Priority Date	5/21/2004 10:00:27 AM	segbert			
POD	5/21/2004 10:01:05 AM	segbert			
Source	5/21/2004 10:03:03 AM	segbert			
POU	5/21/2004 10:03:41 AM	segbert			
Use	5/21/2004 10:04:02 AM	segbert			
Quantity	5/21/2004 10:11:22 AM	segbert			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	4/21/2004 1:03:22 PM	dsmith	Edited point location
POD	4/21/2004 1:04:51 PM	dsmith	Edited PLS
Priority Date	5/21/2004 10:00:09 AM	segbert	(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 ?
POD	5/21/2004 10:01:07 AM	segbert	(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?

Receipt Details for ID W007142

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/15/1989 11:21:42 AM	12/15/1989	Western	\$66.00	Check
Payer	HARVEY, DONALD E.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
199			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$66.00	ADJUDICATION CLAIM FEE	410162	9337	00	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	7363		\$66.00	Claim

[Print Report](#)

11/09/2006

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

RIGHT NUMBER: 67-7363

NAME AND ADDRESS: DONALD E HARVEY
2216 HWY 95
COUNCIL ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.320 CFS

PRIORITY DATE: 10/26/1977

POINT OF DIVERSION:

T16N R01W S15 SWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 07/15

0.320 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S15

NENW

2.00

T16N R01W S15

SENE

14.00

16 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

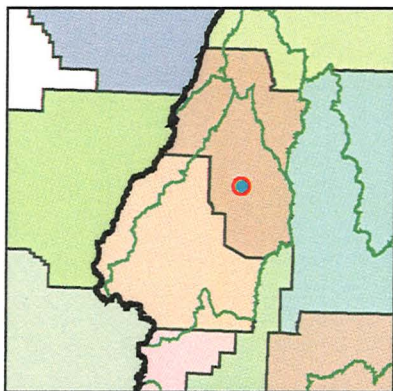
SRBA Recommendation:

67-7363

(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by V. Music
On Thursday, November 16, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7363 Priority October 26, 1977 Amount 0.32 cfs

THIS IS TO CERTIFY, that LILLIAN and/or DONALD E. HARVEY
of Council, Idaho, has complied with the terms and conditions of Permit
No. 67-7363 issued pursuant to Application for Permit dated October 26, 1977,
and has submitted proof to the Department of Water Resources on September 14, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.83 cfs of water from The Weiser River,
tributary to The Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 15 to July 15</u>	<u>at 0.32 cfs</u>	<u>and 64 acre feet</u>
	<u>from to</u>	<u>at cfs</u>	<u>and</u>
	<u>from to</u>	<u>at cfs</u>	<u>and</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 0.32 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
64 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 16
N., Rge. 1 W., B. M. in the County of Adams

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16	N	1 W	15				2			14									16

Total number of acres irrigated 16

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of

November, 19 78

Director

FIELD REPORT

3. Water will be used for the following purposes:

Period of Use: from April 15 to October 15
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

- Max Rate of Diversion 0.32 cubic feet per second and annual volume _____ AF/Annum.

- Township 16N N/S, Range 1W E/W, B.M., Section 15, Subdivision SW 1/4 NW 1/4 Adams County

Township _____ N/S, Range _____ E/W, 3.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4,

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☒ no ☐

- [illegible]

TOTAL AC 1000

Permit No. 67-7363
Examination for B/a

DATE OF EXAM

July 14, 1978

ACREAGE

Found

16 acres

Recommended

16 acres

Irrigation Requirement

4.0

Ac Ft/Ac

USE

Irrigation Q = 0.32 c.f.s.

V = 64

AF/Ann. from Apr. 15 to Oct. 15

Domestic Q = c.f.s.

V =

AF/Ann. from to

Livestock Q = c.f.s.

V =

AF/Ann. from to

Is water co-mingled? yes no ☒

Name source:

twp. N/S, Rge E/W, B.M., Sec., Sub. 1/4 1/4

County

Exchange? yes no ☒

Name source exchanged with:

twp. N/S, Rge E/W, B.M., Sec., Sub. 1/4 1/4

County

Point of injection:

twp. N/S, Rge E/W, B.M., Sec., Sub. 1/4 1/4

County

Point of exchange:

twp. N/S, Rge E/W, B.M., Sec., Sub. 1/4 1/4

County

Total Q measured 0.83 cfs

Method of measurement Weir

Total Q recommended 0.32 cfs

Meter No.

Type Condition good

Total V recommended 64 AF/year

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

0.3 ft head over 1.5 ft. Cipp. Weir

$Q = 3.367 L H^{3/2} = 3.367 (1.5) (.3)^{3/2} = 0.83 \text{ cfs}$

$V = 4 \text{ AF/year} \times 16 \text{ A} = 64 \text{ AF/year}$

SYSTEM DESCRIPTION:

PTO pump (Cornell Rain-Flow) draws water from Weiser River. Water is piped to outlet box for flood irrigation.

REMARKS:

Mrs. Harvey was present during exam.

Examiner's Signature

Willie K. MacAllister

Date

August 14, 1978

Checked by

DBS

Date

8/17/78

Approved by

Date

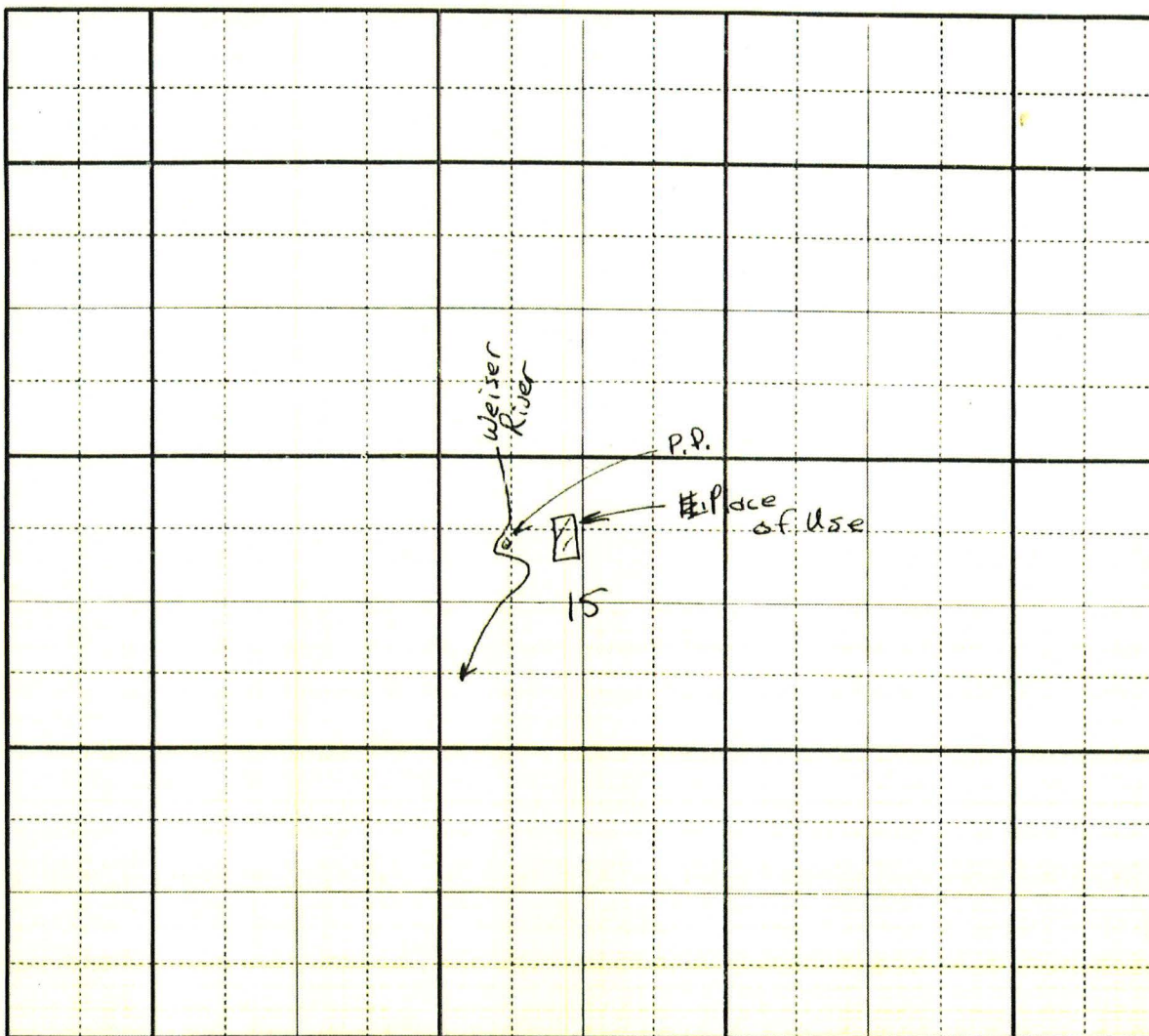


Diagram of System

Identification No. _____

Application No. 67-7363

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Lillian Harvey &/or Donald E. Harvey Phone: 253-4257
post office address Council, ID 83612
2. Source of water supply Weiser which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 16N
Range 1W B.M. Adams County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 16N Range 1W B.M. _____
4. Water will be used for the following purposes: July 15
Amount .32 for irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .32 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 15 H.P. pump - 1580 ft. 6" PVC pipeline -- lift 19ft

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ 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 1 years.
b. Estimated construction cost is \$ 3000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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: _____

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	
16N	1W	15					2			14									16

Total number of acres to be irrigated 16

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

Shares in the Lost Valley Reservoir

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

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

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 This is a supplemental right.

10/26/77
Proposed Priority _____

Received by SKN Date 10/26/77 Time 11:45 AM
Preliminary check by WHS Fee \$ 25 # 9632
Receipted by SKN Date 10/26/77
Publication prepared by M Date 10-27-77
Published in Clarke County Reader
Publication dates Nov 3 & 10
Publication approved M Date 11-16-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by _____ Date _____

Recommended for approval denial by WHS *WHS*

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. 67-7363, and said application is hereby APPROVED.

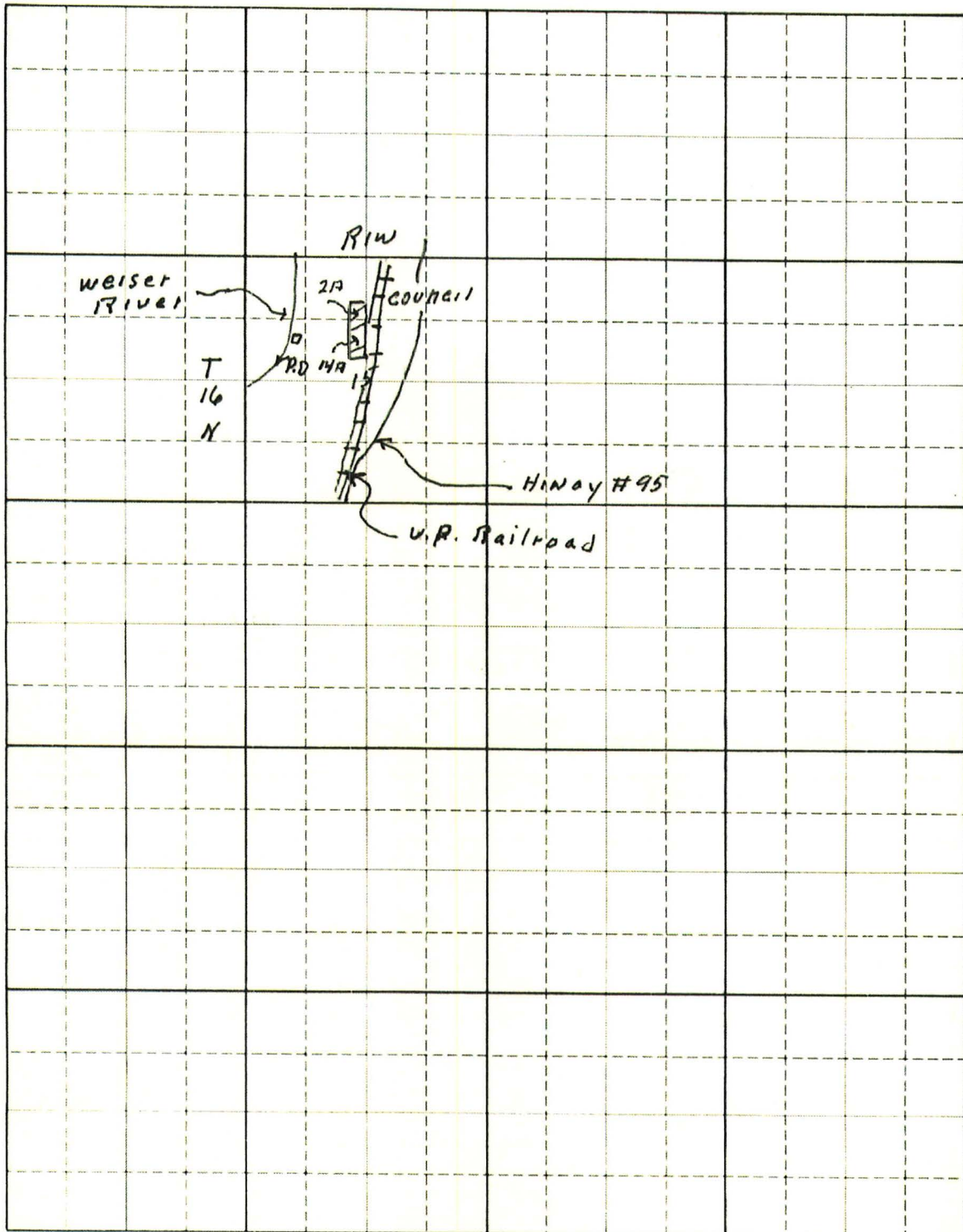
1. Approval of said application is subject to the following limitations and conditions:

- 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 February 1, 19 79.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. The maximum season of use under this permit is April 15th to July 15th.

Witness my hand this 29 day of January 19 78.


DEPUTY Director

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.

Donald E. Harvey
(Applicant)

Idaho Department of Water Resources
67-7363

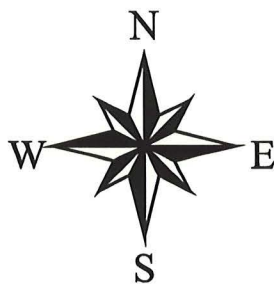
SCANNED
MAY 10 2004



300 0 300 600 900 1200 1500 Feet



T16N, R01W, S15



NEED MAP + PAD
here back

Prepared by Anita L. Warntjes
March 15, 2004
1993/94 True Color Photo