

RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

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

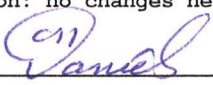
Water right number: 67-14227

RAE DANIELS
1855 CHERRY GULCH RD
WEISER ID 83672
Telephone Number: (208) 642-4765

DON DANIELS
1855 CHERRY GULCH RD
WEISER ID 83672
Telephone Number: (208) 642-4765

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 11/22/06 SIGNATURE: 

Please print your name: DON DANIELS

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

SCANNED
NOV 28 2006

09/27/2006

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

RIGHT NUMBER: 67-14227

NAME AND ADDRESS: RAE DANIELS
1855 CHERRY GULCH RD
WEISER ID 83672

DON DANIELS
1855 CHERRY GULCH RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/16/1979

POINT OF DIVERSION:

T10N R04W S31 NESWNW Lot 2 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within WASHINGTON County

T10N R04W S31 Lot 2 SWNW

DOMESTIC Within WASHINGTON County

T10N R04W S31 Lot 2 SWNW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



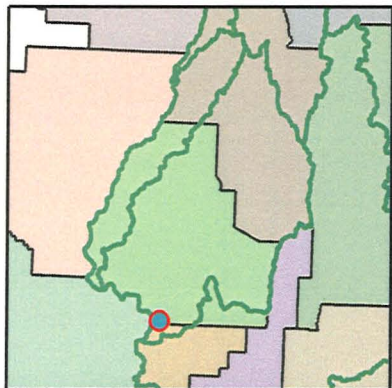
Idaho Department of Water Resources

SRBA Recommendation:

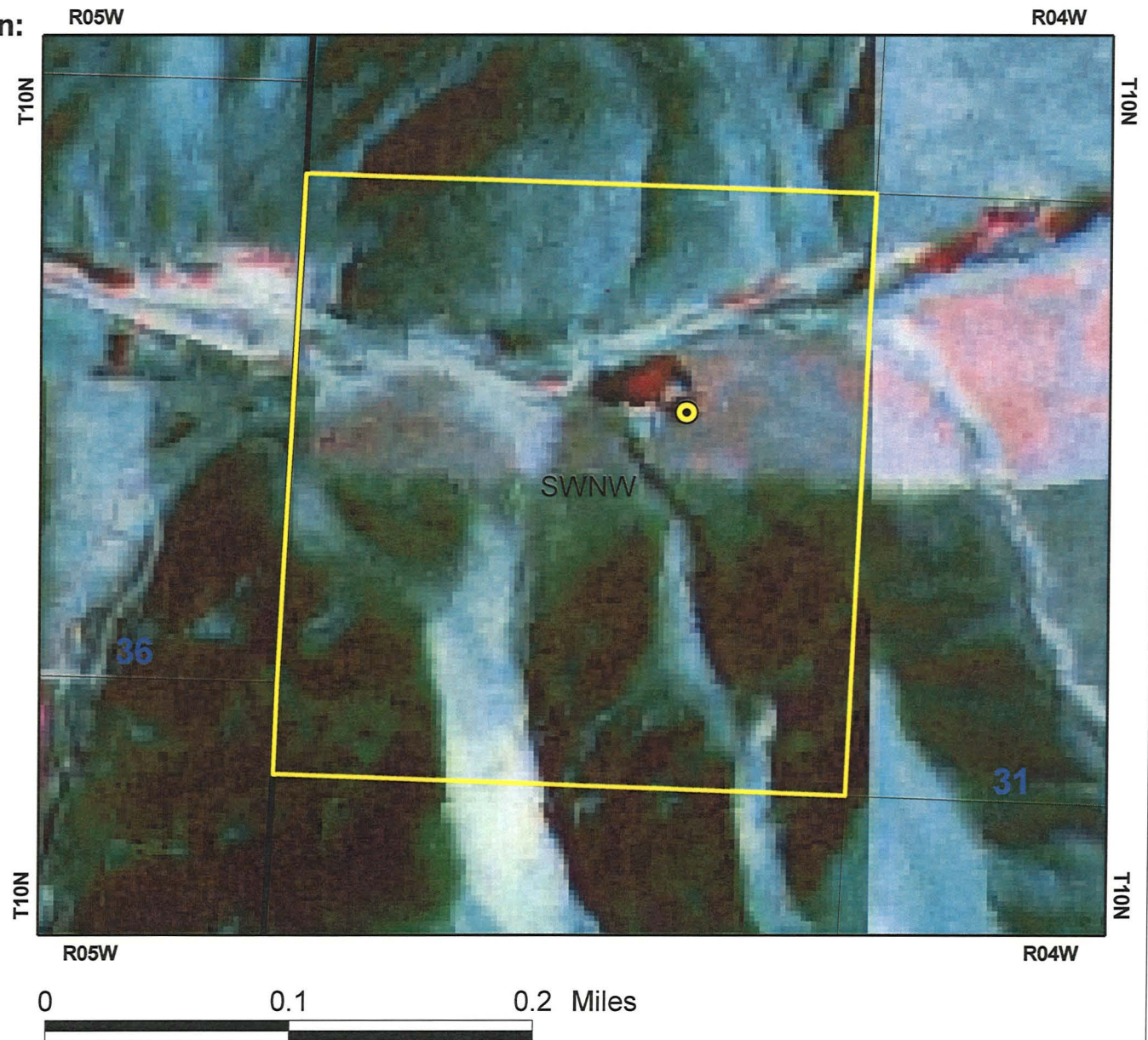
67-14227

Legend

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



Washington County
IDWR Basin 67



Prepared by J. Dean
On Wednesday, September 27, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-14227 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAE DANIELS 1855 CHERRY GULCH RD WEISER, ID 83672 (208)642-4765
Current Owner	DON DANIELS 1855 CHERRY GULCH RD WEISER, ID 83672 (208)642-4765

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	Total Diversion:	0.060 CFS	

GROUND WATER L2 (NE1/4SW1/4NW1/4) Sec. 31, Twp 10N, Rge 04W, B.M.
WASHINGTON County

[illegible][illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14227 V1

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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. X01 Domestic use is for 1 home.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. jdean 9/27/2006 Recommended as claimed

Comment: This elements of this claim were reasonable, therefore, the recommendation is based on the claim.

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: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			09/27/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/27/2006 3:39:48 PM	jdean	Updated shape
POU	9/27/2006 3:40:47 PM	jdean	Updated shape for Active POU
POU	9/27/2006 3:41:14 PM	jdean	Updated shape for Active POU
POU	9/27/2006 3:40:56 PM	jdean	Updated PLS for Active POU
POD	9/27/2006 3:40:09 PM	jdean	Updated PLS
POU	9/27/2006 3:41:24 PM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14227 V1

Summary	9/27/2006 3:47:01 PM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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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: **A67-14227**
Date Received: 9/30/1998
Receipt No: W024457
Received By: DE-SB

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DON DANIELS
Address: 1855 CHERRY GULCH RD
WEISER ID

83672

208-642-4765

OR

Name: RAE DANIELS
Address: 1855 CHERRY GULCH RD
WEISER ID

83672

208-642-4765

2. Date of Priority: JUN 16, 1979

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04W	31	SW	NW		2	WASHINGTON

5. Description of diverting works:

6" CASING, 170' DEEP, 1 H.P. SUB. PUMP. PIPED TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.060 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04W	31	SW	NW	2	STOCK	
			SW	NW	2	DOMEST	

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:

67-10330-38, 67-14198-99

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

SEP 30 1998

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. _____
Date Received 9/30/98
Receipt Number W024457 HNOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) DON OR RAE DANIELS Phone (208) 642-4765
Mailing Address 1855 Cherry Gulch Rd. Weiser Id. Zip 83672
- Date of Priority (Only one per claim) June 6-16-79 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 10N Range 4W
Section 31, 1/4 of SW 1/4 of NW 1/4, Govt. Lot 2, BM.,
County of Washington
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well, 6in casing, 170' deep, 1hp sub. pump, pipe to house and
Wild Life and Stock Tank
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1-1 to 12-31 amount .04 (cfs)
(Both dates are inclusive)
For Stockwater purposes from 1-1 to 12-31 amount .02
- Total quantity claimed .06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household

10. Place of use is: Township: 10N Range 4W

Section 31, SW 1/4 of NWSE 1/4, Govt. Lot 2, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) [Signature] Date 9/28/98

_____ Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or IDAHO)

) SS.

County of Payette)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 28th day of SEPTEMBER 19 98

SEAL

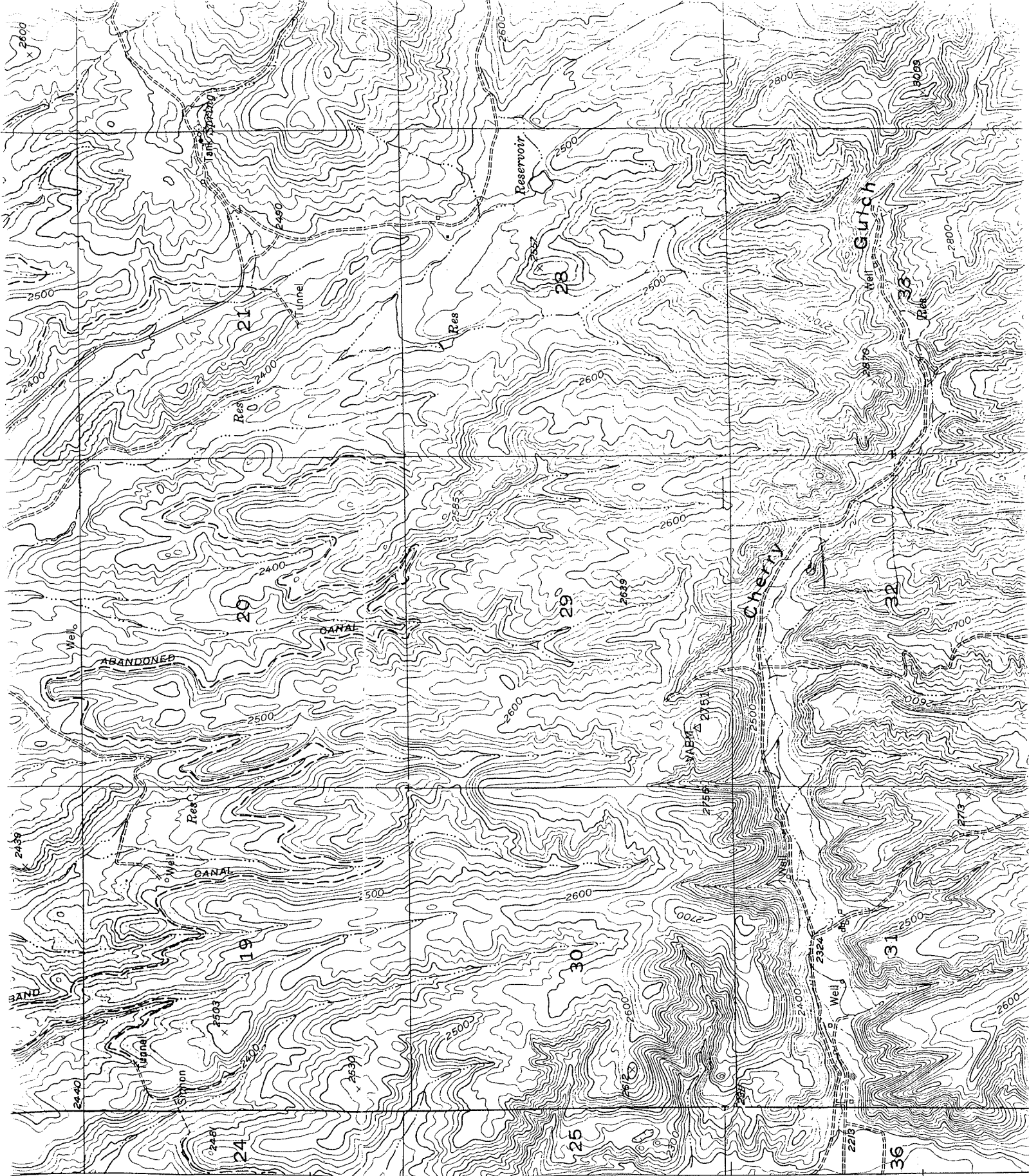
Notary Public [Signature]

Residing at Payette IDAHO

My Commission Expires 12-02-99

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



(WEISER SOUTH)

10'

T. 10 N. 36

AJ0749NP
No. R67-14227

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON DANIELS	06/16/1979	STOCKWATER	01-01 12-31	0.02 CFS	
C	RAE DANIELS 1855 CHERRY GULCH RD WEISER ID 83672 (208) 642-4765		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10N R04W S31 Lot02(SWNW)

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	04W	31	:																
				02-S															

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	04W	31	:																
				02-D															

POU County: WASHINGTON

Non-Irrigation Uses: 1 HOME

Other Rights: 67-10330-38, 67-14198-99

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/23/99 JSHURTE

SCANNED
APR 16 2004

ADDRESS SERVICE REQUESTED

	CATEGORY DESCRIPTION	TAX CODE 15-00	
		LOTS/ACRES	MARKET VALUE
1	IRRGTD AG	4.000 AC	1,904
3	DRY AGR	155.000 AC	8,835
5	DRY GRAZING	140.100 AC	3,250
10	RURAL HOMESITE	1.000 AC	9,000
		300.100	22,989*

1998
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 19, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER

RP 10N04W314200 A

Mail To:

LOTS 2-3-4-5-6; TN-1 IN NENW
& NWNE; SENW; NESW; NWSE;
S31T10R4 300.10 AC; MH009167

DANIELS FAMILY TRUST
DANIELS DONALD L TRUSTEE
DANIELS RAE M TRUSTEE
1855 CHERRY GULCH RD

WEISER

ID 83672

Dec. 31, 10N, 4W, LOT 2 (SW NW)
Owned by claimant.