

DEC 15 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: 67-14235

ROBERT I HARVEY
1772 CAHILL RD
WEISER ID 83672
Telephone Number: (208) 642-3410

MARGARET A HARVEY
1772 CAHILL RD
WEISER ID 83672
Telephone Number: (208) 642-3410

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:

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

DATE: Nov 27, 2006

SIGNATURE:

Robert I. Harvey

Please print your name:

Robert I. HARVEY

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

SCANNED

DEC 15 2006

09/27/2006

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

RIGHT NUMBER: 67-14235

NAME AND ADDRESS: ROBERT I HARVEY
1772 CAHILL RD
WEISER ID 83672

MARGARET A HARVEY
1772 CAHILL RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS

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

PRIORITY DATE: 01/01/1910

POINT OF DIVERSION:

T10N R05W S25 SESESE 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	0.070 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within WASHINGTON County

T10N R05W S25 SESE

DOMESTIC Within WASHINGTON County

T10N R05W S25 SESE

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
Stockwater use is for 300 range cattle.



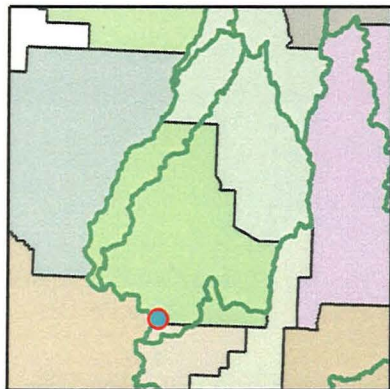
Idaho Department of Water Resources

SRBA Recommendation:

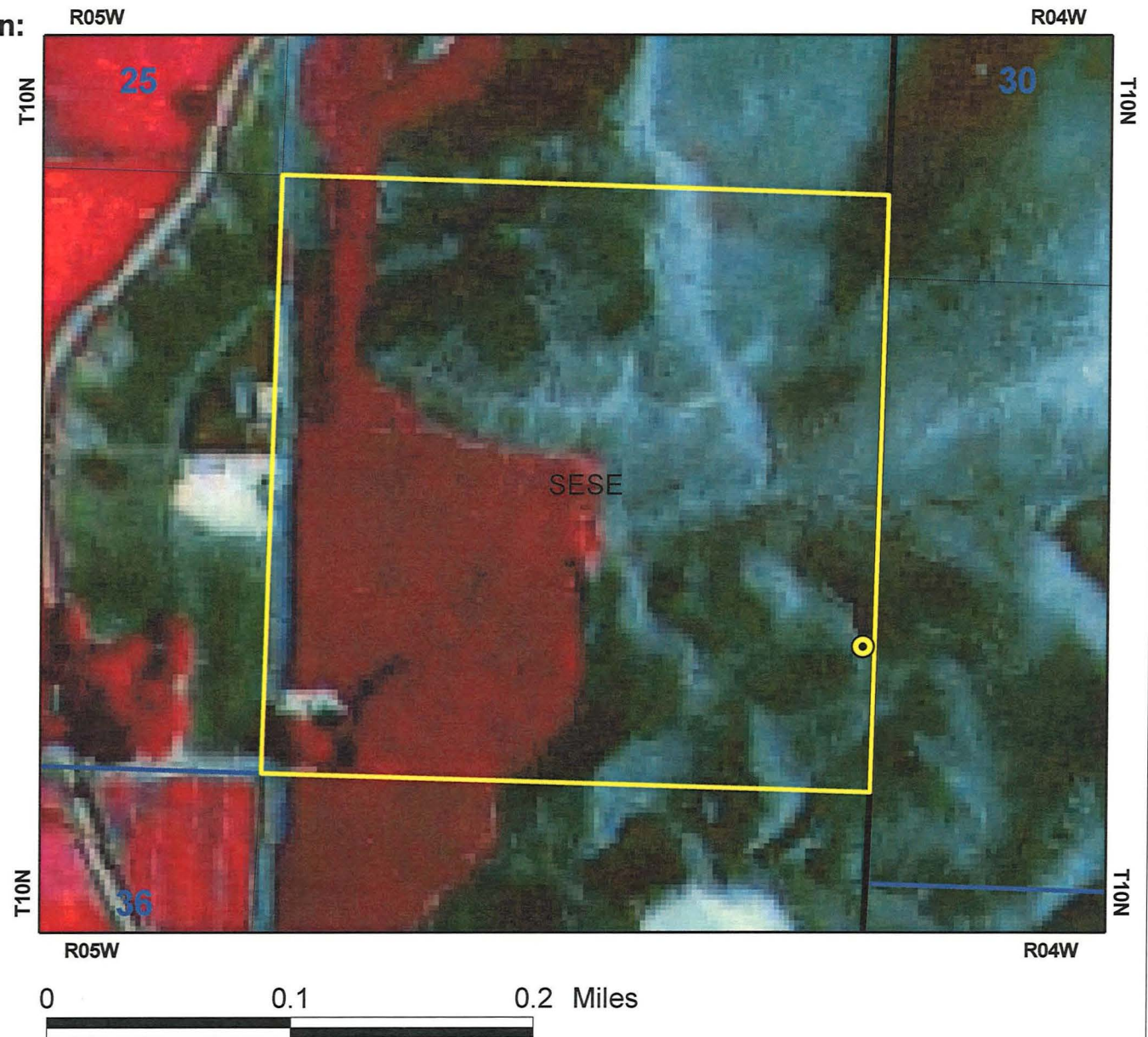
67-14235

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14235 V1

WATER RIGHT NUMBER: 67-14235 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT I HARVEY 1772 CAHILL RD WEISER, ID 83672 (208)642-3410
Current Owner	MARGARET A HARVEY 1772 CAHILL RD WEISER, ID 83672 (208)642-3410

Priority Date: 01/01/1910

Basis: Beneficial Use

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>
STOCKWATER	01/01 to 12/31	0.070 CFS	
DOMESTIC	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.090 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 25, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	25																	X

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	25																	X

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14235 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. X02 Stockwater use is for 300 range cattle.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. jdean 9/27/2006 Small D&S
Comment: This claim was recommended as claimed for small d&s.

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: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	9/27/2006 11:10:08 AM	jdean			Active
Summary			09/27/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/27/2006 11:19:44 AM	jdean	Updated shape for Active POU
POU	9/27/2006 11:20:30 AM	jdean	Updated PLS for Active POU
Contacts	9/27/2006 11:10:09 AM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14235 V1

POD	9/27/2006 11:19:05 AM	jdean	Updated PLS
POU	9/27/2006 11:20:21 AM	jdean	Updated shape for Active POU
POD	9/27/2006 11:18:38 AM	jdean	Updated shape
POU	9/27/2006 11:19:55 AM	jdean	Updated PLS for Active POU
Summary	9/27/2006 11:29:33 AM	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?

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: **A67-14235**
Date Received: 5/13/1999
Receipt No: W025189
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MARGARET A HARVEY
Address: 1772 CAHILL RD
WEISER ID

208-642-3410

83672

AND/OR

Name: ROBERT I HARVEY
Address: 1772 CAHILL RD
WEISER ID

208-642-3410

83672

2. Date of Priority: JAN 1, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	25	SE	SE	SE		WASHINGTON

5. Description of diverting works:
2 WELLS, LINES TO HOME AND STOCKWATER TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 300 RANGE CATTLE

SCANNED
APR 12 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	25	SE	SE		DOMEST	
			SE	SE		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

NONE

14. Remarks:

TWO POINTS OF DIVERSION IN 10N, 05W, SEC. 25, SESESE

15. Basis of Claim: BENEFICIAL USE

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

Identification No. AL67-14235Date Received 5-13-99Receipt Number 10025189

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED 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

1. Name of Claimant (s) MARGARET A HARVEY Phone (208) 642-3410
Robert I Harvey
 Mailing Address 1772 CAHILL Rd Weiser Zip 83672

2. Date of Priority (Only one per claim) 1/1/1910 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
 which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10N Range 5W
 Section 25, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
 County of WASHINGTON

Additional points of diversion if any: BACKUP WELL ALSO LOCATED IN SESESE, SEC. 25, T10N, R5W

5. 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. Delivery lines from two wells to home & stockwater troughs.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For STOCKWATER purposes from 1/1 Month/Day to 12/31 Month/Day (cfs) amount 0.09
 For DOMESTIC purposes from 1/1 Month/Day to 12/31 Month/Day (Both dates are inclusive) amount 0.04

7. Total quantity claimed 0.13 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOME; 300 HEAD DRY STOCK

10. Place of use is: Township: 10N Range 5W

Section 25, SE 1/4 of SE 1/4, Govt. Lot _____, 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 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.

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

Number of Attachments _____

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

Signature of Claimant (s) Margaret A Harvey Date 5-13-99

_____ Date _____

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

_____ Title _____ 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 _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13 day of May 19 99

SEAL

Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant