

12/07/2006

RECEIVED
DEC 18 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 13, 2006

Water right number: 67-14784

JOHN ROBERT SCHWENKFELDER
5500 W OLD SCHOOL LN
MERIDIAN ID 83646
Telephone Number: ~~(208) 322-5407~~

BONNIE P SCHWENKFELDER
500 W OLD SCHOOL LN
MERIDIAN ID 83646
Telephone Number: ~~(208) 322-5407~~

208 (887-3540)
CELL# 208 (447-9395)
208 (887-3540)

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: 12/12/06 SIGNATURE: [Signature]

Please print your name: John Robert Schwenkfeldon

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

SCANNED
DEC 18 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.1
0004310838 DEC 04 2
MAILED FROM ZIP CODE 83

NOT DELIVERABLE
UNLESS ADDRESSED,
UNABLE TO FORWARD

RECEIVED

DEC 07 2006

WATER RESOURCES
WESTERN REGION

11/17

RETURNED TO SENDER
NOT DELIVERABLE
UNLESS ADDRESSED,
UNABLE TO FORWARD
JOHN ROBERT SCHWENKFELDER
BOONLE P SCHWENKFELDER
3725 ARMOR ST
BOISE ID 83706

67-7489

7561

14784

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 67-14784

[] Old Mailing Address: 3725 ARMOR ST
BOISE IDAHO 83724

[] New Mailing Address: 5500 W. OLD SCHOOL RD
MERIDIAN, IDAHO
83646

New Telephone Number: (208) 447-9395 Cell

[] Signature of Claimant: *[Signature]* 208/887-3540 home

Date: _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

phone number changed
address changed

MVB 12-14-06

11/30/2006

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

RIGHT NUMBER: 67-14784

NAME AND ADDRESS: JOHN ROBERT SCHWENKFELDER
3725 ARMOR ST
BOISE ID 83704

BONNIE P SCHWENKFELDER
3725 ARMOR ST
BOISE ID 83704

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 2.000 CFS

Rights 67-7489 and 67-14784 when combined shall not exceed a total diversion rate of 3.8 cfs and a total annual maximum diversion volume of 1846.0 afa.

PRIORITY DATE: 05/14/1978

POINT OF DIVERSION:

T14N R02W S1 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.000 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S11	NESW	30.00	T14N R02W S11	SWSW	10.00
T14N R02W S11	SESW	30.00	T14N R02W S11	NESE	40.00
T14N R02W S11	SWSE	40.00	T14N R02W S14	NWNE	40.00
T14N R02W S14	SWNE	40.00	T14N R02W S14	NENW	40.00
T14N R02W S14	NWNW	30.00			

300 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

11/30/2006

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

Water is delivered through Schwenkfelder Ditch.

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 for irrigation of the lands above.

This claim replaces claim 67-2017 which was not included in Muir vs. Allison decree and it also replaces water right license 67-7312.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No.67A.



Idaho Department of Water Resources

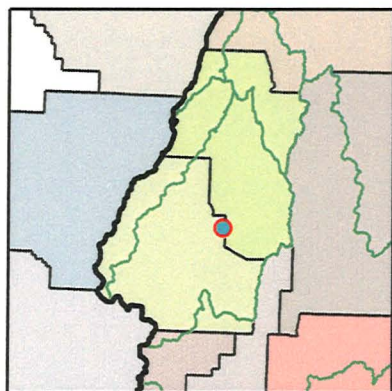
SRBA Recommendation:

67-14784

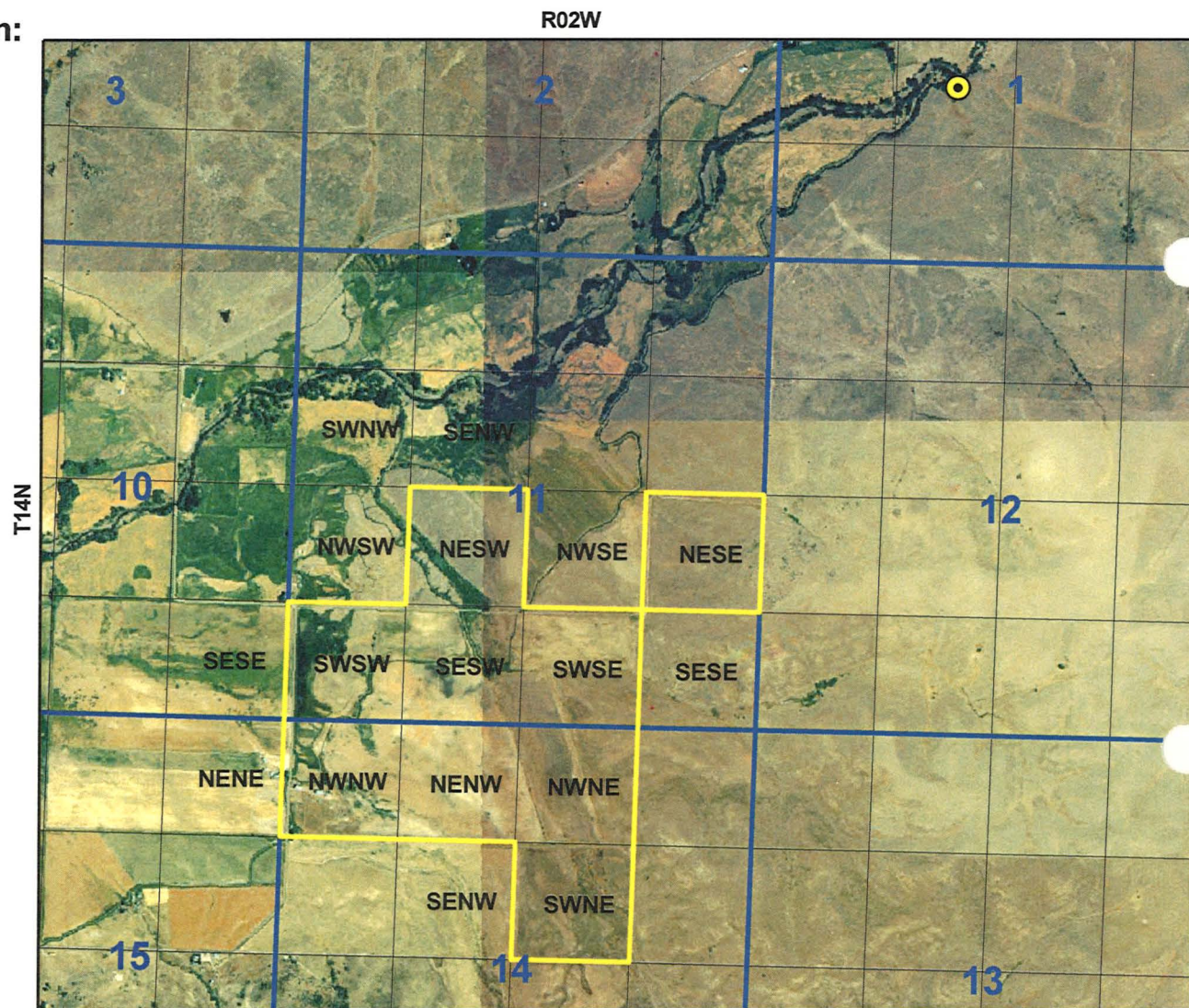
(Irrigation)

Legend

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



Adams, Washington Counties
IDWR Basin 67



Prepared by K. Walker
On Tuesday, September 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14784 V1

WATER RIGHT NUMBER: 67-14784 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN ROBERT SCHWENKFELDER 3725 ARMOR ST BOISE, ID 83704 (208)322-5407
Current Owner	BONNIE P SCHWENKFELDER 3725 ARMOR ST BOISE, ID 83704 (208)322-5407
Original Owner	DAVID F DICKERSON STAR RT CAMBRIDGE, ID 83610

Priority Date: 05/14/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NE1/4SW1/4	Sec. 1, Twp 14N, Rge 02W, B.M.
ADAMS 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	
14N	02W	11									30.0		10.0	30.0	40.0		40.0		150.0
14N	02W	14			40.0	40.0		40.0	30.0										150.0

Total Acres: 300

Conditions of Approval:

1. F01 Water is delivered through Schwenkfelder Ditch.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14784 V1

3. R31 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 for irrigation of the lands above.
4. This claim replaces claim 67-2017 which was not included in Muir vs. Allison decree and it also replaces water right license 67-7312.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. S47 The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. X35 Rights 67-7489 and 67-14784 when combined shall not exceed a total diversion rate of 3.8 cfs and a total annual maximum diversion volume of 1846.0 afa.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No.67A.
9. 086 No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

Remarks:Comments:

1. kwalker 9/26/2006 Claim

Comment: This claim is a reflection of License 67-7312 that was not claimed in the SRBA. Claim 67-2017 was re-numbered because that claim could not be recommended due to not being included in Muir vs. Allison decree. Licensed right 67-7312 covers 300 acres of land in same area as claimed Rt. 67-2017 and this claim will allow the lands to be covered without the property owners having to file an additional claim.

2. kwalker 9/26/2006 Point of Diversion

Comment: Per review of hearing notes of 9/29/1977 the water was to be delivered through the Schwenkfelder ditch. The licensed point of diversion was close to that diversion but was not located on the ditch. Have updated the point of diversion to that of the Schwenkfelder ditch as proposed at the hearing.

3. dnelson 11/30/2006 Claim Review

Comment: Kay Walker did the majority of the research associated with this claim. This claim was limited by the amount of water and priority date found in a field exam for 67-7312. This right was renumbered from 67-2107, but the field exam did not show any additional water was used under 67-2107. Therefore, this right must have a condition that states that this claim replaces claim 67-2017 and replaces water right number 67-7312, which was not claimed in the SRBA.

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:

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14784 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>
Contacts	9/26/2006 10:32:21 AM	kwalker			Active
Priority Date	9/26/2006 10:32:50 AM	kwalker			Active
POD	9/26/2006 10:58:49 AM	kwalker			Active
Source	9/26/2006 11:14:36 AM	kwalker			Active
POU	9/26/2006 11:17:27 AM	kwalker			Active
POU	9/26/2006 12:10:18 PM	kwalker			Active
POU	9/26/2006 12:10:45 PM	kwalker			Active
Use	9/26/2006 12:11:21 PM	kwalker			Active
Season	9/26/2006 12:13:19 PM	kwalker			Active
Quantity	9/26/2006 12:26:56 PM	kwalker			Active
Summary			09/26/2006	kwalker	Active
Summary			11/30/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/26/2006 10:32:24 AM	kwalker	(No) 1. Do you want to schedule an appointment? Comment for 1: Claim based on Rt. 67-7312 - license issued 6/5/1992.
General	9/26/2006 10:32:53 AM	kwalker	(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	9/26/2006 11:08:55 AM	kwalker	Updated PLS
Source	9/26/2006 11:14:46 AM	kwalker	(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?
POD	9/26/2006 11:08:39 AM	kwalker	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14784 V1

POU	9/26/2006 11:17:37 AM	kwalker	(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? (No) 14. Is a POU remark and/or condition required?
POD	9/26/2006 10:58:57 AM	kwalker	(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?
POU	9/26/2006 12:10:36 PM	kwalker	(Yes) 1. Is the basis of this claim a Decree or License?
POU	9/26/2006 12:11:03 PM	kwalker	(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? (No) 14. Is a POU remark and/or condition required?
Use	9/26/2006 12:11:39 PM	kwalker	(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	9/26/2006 12:13:38 PM	kwalker	(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? (Yes) 18. Is a Period of Use remark and/or condition required?
POU	9/26/2006 11:48:39 AM	kwalker	Updated shape from PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14784 V1

Quantity	9/26/2006 12:27:17 PM	kwalker	(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? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Combined use limit of 1846.0 afa on license = 3.8 cfs x 1.9835 x 245 days = 1846.6 af (should have been: 3.8 cfs x 1.9835 x 215 days = 1620.5 af) but will leave as shown on licenses 67-7312 & 67-7489
Summary	9/26/2006 12:35:21 PM	kwalker	(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? (No) 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? (No) 10. Would you like to set the verification date?
Summary	11/30/2006 12:28:03 PM	dnelson	(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? (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:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 67-07312

Priority: May 14, 1978

Maximum Diversion Rate:

2.00 CFS

This is to certify, that DAVID F DICKERSON
STAR RT

CAMBRIDGE ID 83610 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 20, 1977; and
has submitted Proof of Beneficial Use on February 3, 1982. An examination indicates
that the works have a diversion capacity of 3.800 cfs of water from:

LITTLE WEISER RIVER

tributary to WEISER RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 1, Township 14N, Range 02W
ADAMS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	02W	11	NESW 30	SWSW 10	SESW 30	150
			NESE 40	SWSE 40		
		14	NWNE 40	SWNE 40	NENW 40	150
			NWNW 30			

Total number of acres irrigated: 300

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.

MICROFILMED

JUN 26 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 67-07312

CONDITIONS/REMARKS:

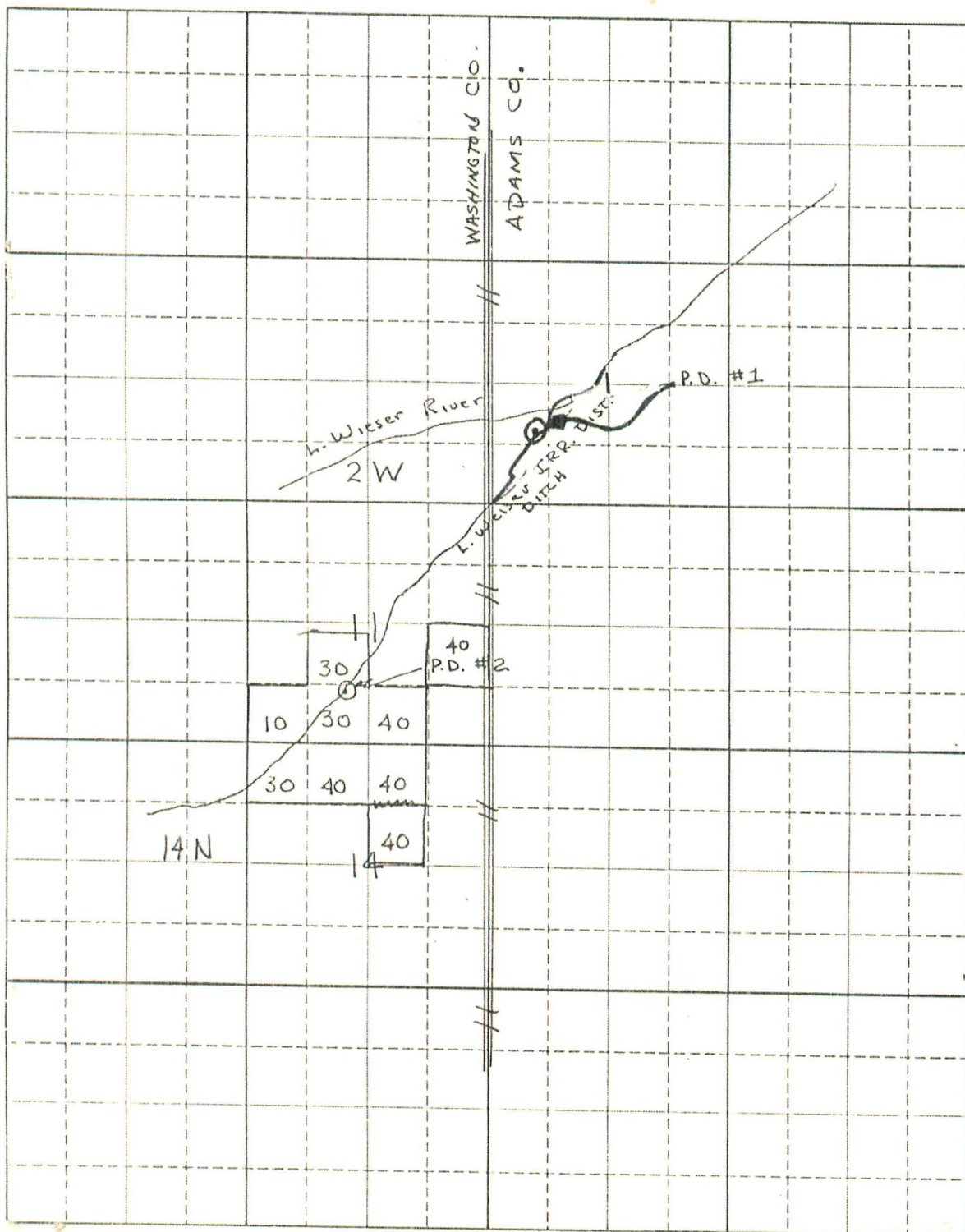
7. No water shall be diverted under this permit after June 15 of each year unless the prior approval of the watermaster is obtained.
8. The maximum combined rate of diversion under this right and right 67-07489 shall not exceed 3.8 cfs nor shall the combined volume exceed 1846.0 afa.
9. Two points of diversion are located within the NWNW, S14, T14N, R02W.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 5TH day of JUNE, 1992.

Acting for R. Keith Higginson, Director

JUN 26 1992

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

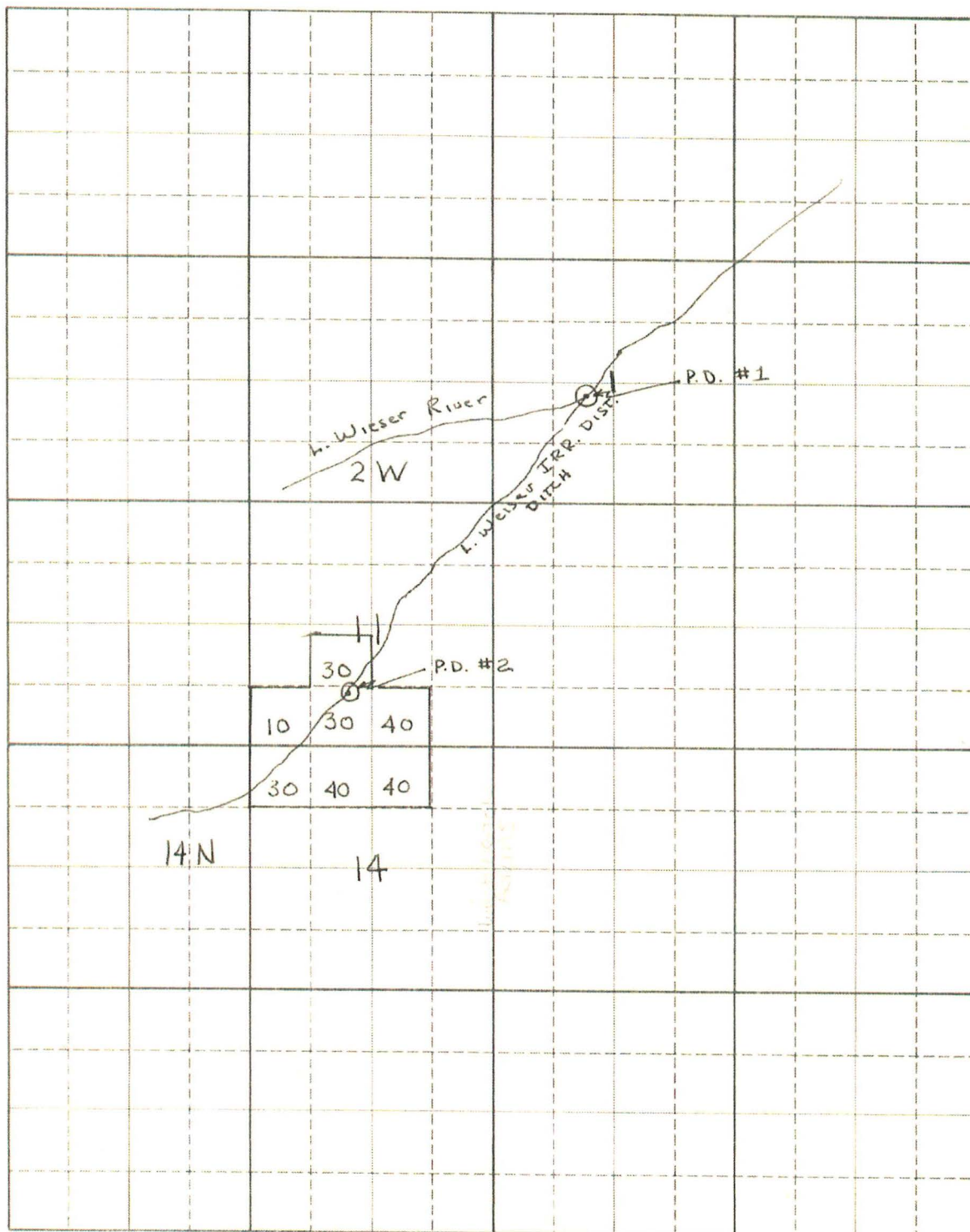


Scale: 2 inches equal 1 mile

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

Carl L. Anderson
(Applicant)

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.

David Z. Peterson
(Applicant)

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 67-14784
Date Received: 10/18/1989
Receipt No: **W006345**
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN ROBERT SCHWENKFELDER
3725 ARMOR ST
BOISE ID USA 83704

Phone: (208)322-5407

BONNIE P SCHWENKFELDER
3725 ARMOR ST
BOISE ID USA 83704

Phone: (208)322-5407

2. Date of Priority: 05/14/1978

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	02W	1	NW SW	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14N	02W	11	NE	SW		IRRIGATION	30
			SW	SW		IRRIGATION	10
			SE	SW		IRRIGATION	30
			NE	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
						Section Acres	150
14N	02W	14	NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	30
						Section Acres	150
						Total Acres	300

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:

14. Remarks:

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.

No water shall be diverted under this permit after June 15 of each year unless the prior approval of the watermaster is obtained.

The maximum combined rate of diversion under this right and right 67-07489 shall not exceed 3.8 cfs nor shall the combined volume exceed 1846.0 afa.

Two points of diversion are located within the NWNW, S14, T14N, R02W.

This claim replaces claim 67-2017 which was not included in Muir vs. Allison decree.

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: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

MEMORANDUM

TO: SRBA Claim 67-2017

FROM: Kay Walker 

RE: Muir vs. Allison decree

Date: September 26, 2006

.....

While reviewing claim 67-2017 for decree, we found that this right had not been included in the Muir vs. Allison decree of 6/20/1921. The Muir vs. Allison decree included all rights from the Weiser River and tributaries, with a cutoff date of May 9, 1918. Rt. 67-2017 was licensed in October of 1906 and should have been included in that legal action. I searched the decree for rights in the name of William H. Thomason (the original right holder) and found he had two other rights in the Muir vs. Allison decree, so he had been included as a party in that case, but Rt. 67-2017 was not included. The other rights in Mr. Thomason's name were 67-0476 and 67-0485 but did not include lands described under the licensed right. In light of this, we cannot recommend Rt. 67-2017 be decreed in the SRBA.

The current property owners filed a claim on 67-2017 but did not claim Rt. 67-7312 that covers 300 acres of land within the same location as the licensed right. We determined that Rt. 67-2017 should be recommended as Rt. 67-14784, which is a reflection of unclaimed right 67-7312. This will allow the property owners to have a water right for the irrigation of their land without filing an additional claim.