

12/17/2006

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

RIGHT NUMBER: 67-14811

NAME AND ADDRESS: RAYMOND LEE ELSE
1351 MANN CREEK RD
WEISER ID 83672

DONNA K ELSE
1351 MANN CREEK RD
WEISER ID 83672

SOURCE: WASTE WATER

TRIBUTARY:

QUANTITY: 0.400 CFS

PRIORITY DATE: 03/01/1969

POINT OF DIVERSION:

T12N R04W S30 NWSW Lot 3 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.400 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R04W S30 Lot 3 NWSW 10.00 T12N R04W S30 Lot 4 SWSW 10.00

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 71.5 acres in a single irrigation season. Combined Right Nos.: 67-14327, 67-14775 & 67-14811

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 - Beneficial Use



Idaho Department of Water Resources

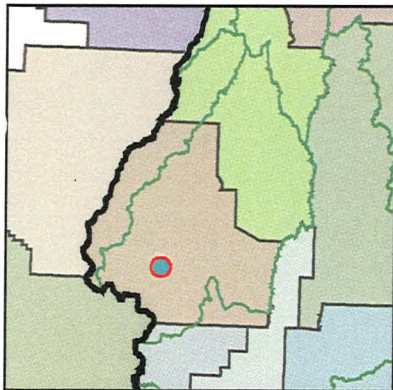
SRBA Recommendation:

67-14811

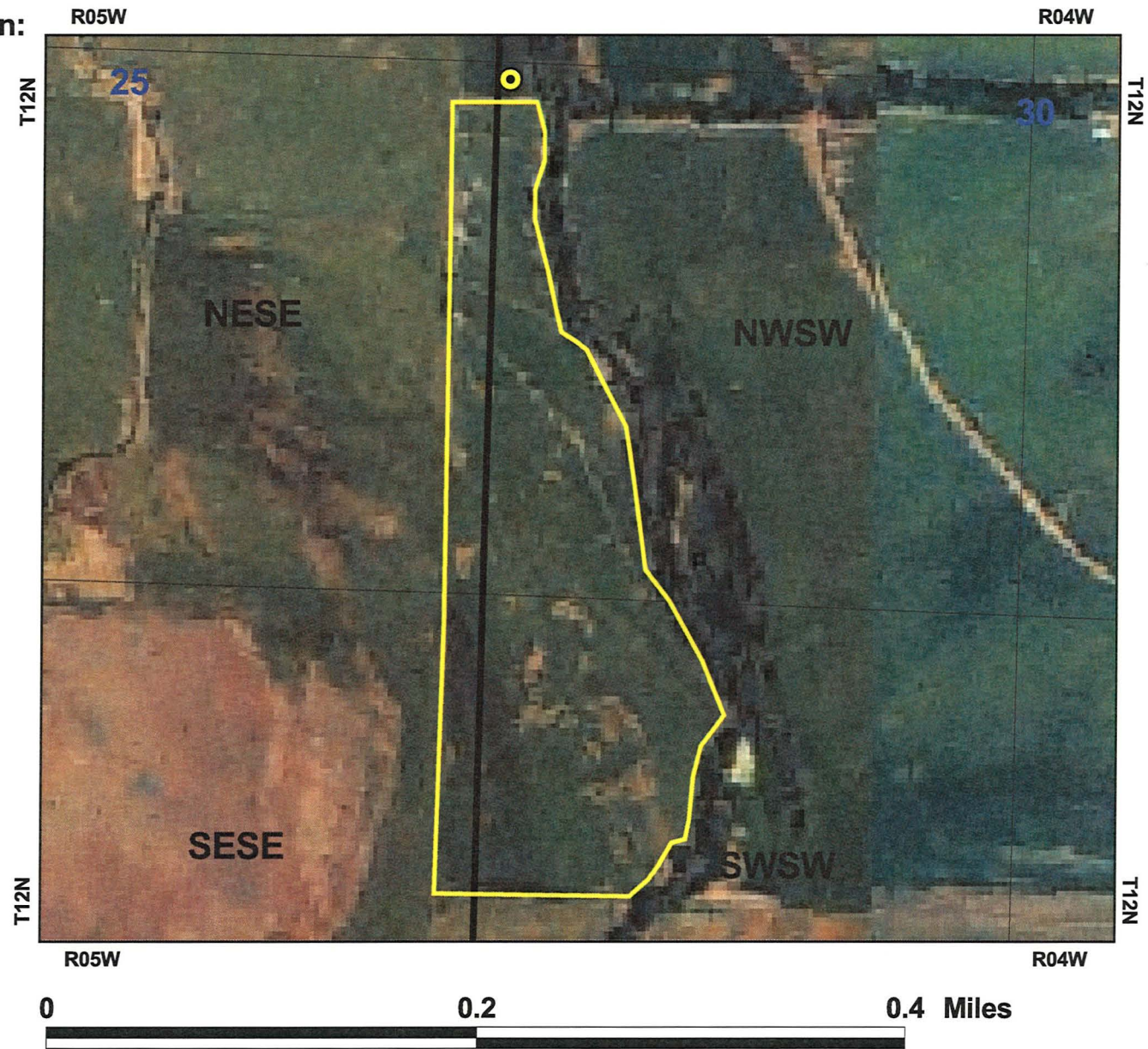
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Sunday, December 17, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14811 V1

WATER RIGHT NUMBER: 67-14811 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAYMOND LEE ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090
Current Owner	DONNA K ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090

Priority Date: 03/01/1969

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
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WASTE WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

WASTE WATER	L3 (NW1/4SW1/4)	Sec. 30, Twp 12N, 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	
12N	04W	30																	20.0
													10.0	10.0					
													L 3	L 4					

Total Acres: 20

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. E56 The rights listed below are limited to the irrigation of a combined total of 71.5 acres in a single irrigation season. Combined Right Nos.: 67-14327, 67-14775 & 67-14811

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14811 V1

Comments:

1. csaxton 12/17/2006 NOE

Comment: New claim filed in the NOE process. The claimant wrote the claim number of one of their other claims on the Notice of Claim report, but it is clear by researching the receipt and that a different source was claimed that this is a new claim.

2. csaxton 12/17/2006 Priority Date

Comment: No EOP was submitted for Waste Water. But EOP was submitted for irrigation on this property with Mann Creek flood water. I think we can use the 1969 priority date that supports irrigation of the west side of the creek as EOP for this right. If they were irrigating with water that has to be flumed over the creek, they were most likely irrigateing with any waste that was available in 1969.

3. csaxton 12/17/2006 From Claim (1)

Comment: POD NOT DEFINED IN CLAIM SO IT WAS PLACED AT THE NW EDGE OF CLAIMANTS PROPERTY (CSAXTON 12-17-06)

4. csaxton 12/17/2006 From Claim (2)

Comment: WHEN CAPURROS IRRIGATION TAKES PLACE ON PROPERTY UNDER WATER RIGHT 67-555, ALL WASTEWATER RUNS ON PROPERTY NOTED ABOVE.

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: 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>
Summary			12/17/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/17/2006 2:35:18 PM	csaxton	Edited Season Of Use
POD	12/17/2006 2:11:56 PM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14811 V1

Summary	12/17/2006 2:37:10 PM	csaxton	(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? (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?
POD	12/17/2006 2:11:38 PM	csaxton	Updated shape
POU	12/17/2006 2:12:41 PM	csaxton	Updated shape for Active POU
POU	12/17/2006 2:12:49 PM	csaxton	Updated PLS for Active POU

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 67-14811
Date Received: 12/17/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RAYMOND LEE ELSE Phone: (208)549-1090

1351 MANN CREEK RD
WEISER ID USA 83672

DONNA K ELSE Phone: (208)549-1090

1351 MANN CREEK RD
WEISER ID USA 83672

2. Date of Priority: 06/04/1921

3. Source: WASTE WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	04W	30	NW NW	WASHINGTON	

5. Description of diverting works:

Water right 67-555 - Waste Water from this property

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/05	0.41	

7. Total Quantity Appropriated is:
0.41 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
12N	04W	30	SW	SW	IRRIGATION	10
			SE	SW	IRRIGATION	10.5
					Section Acres	20.5
					Total Acres	20.5

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:

14. Remarks:

WHEN CAPURROS IRRIGATION TAKES PLACE ON PROPERTY UNDER WATER RIGHT 67-555, ALL WASTEWATER RUNS ON PROPERTY NOTED ABOVE.

POD NOT DEFINED IN CLAIM SO IT WAS PLACED AT THE NW EDGE OF CLAIMANTS PROPERTY (CSAXTON 12-17-06)

15. Basis of Claim: Beneficial Use

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.

Form No. 42-1400 (2) 1/00 (Internet)

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 67-14827
Date Received 11-29-06
Receipt Number 1082715

190-
new #
1967-14811

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

1. Name of Claimant (a) Raymond Lee Elce & Donna K. Elce Phone () 549-1090
Mailing Address 1351 MANOCER RD. WEISER, ID Zip 83672

2. Date of Priority (Only one (1) per claim) 6-4-21

3. Source of water supply (a) WASTEWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is: Water right 67-555 - WASTEWATER FROM THIS
PROPERTY
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, 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.

SCANNED

NOV 30 2008

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 3/1 to 11/5 amount 0.41 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.41 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater for 150 HD.

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
			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	
12N	4W	30											10	10.5					20.5

Total number of acres irrigated 20.5

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.
WASTE WATER FROM HADDA DITCH ON CAPORRO PROPERTY or None ()

14. Remarks: WHEN CAPORRO'S IRRIGATION TAKES PLACE ON PROPERTY UNDER WATER RIGHT 67-555 ALL WASTEWATER RUNS OVER PROPERTY NOTED ABOVE

Last Name _____ Ident No. _____

0-1-100
1-1-100