

02/12/2007

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

RIGHT NUMBER: 67-14844

NAME AND ADDRESS: NORMA R GROSSEN
PO BOX 72
INDIAN VALLEY ID 83632-0072

TOM L GROSSEN
PO BOX 72
INDIAN VALLEY ID 83632-0072

SOURCE: NORTH FORK GRAYS CREEK TRIBUTARY: GRAYS CREEK

QUANTITY: 0.870 CFS

PRIORITY DATE: 06/21/1921

POINT OF DIVERSION:

T15N R01E S30 NWSWNW Lot 2 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.870 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S35	SWNW	20.00	T15N R01W S35	NWSW	25.00
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45 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 - Beneficial Use

This right is a split from former right 67-101.

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WATER RIGHT NUMBER: 67-14844 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	S L GOODWIN
	, ID
Original Owner	STELLA BOTT 964 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4454
Original Owner	CAROL ANN SINDEN 2320 HARMONY HTS RD OROFINO, ID 83544 (208)476-3970
Current Owner	NORMA R GROSSEN PO BOX 72 INDIAN VALLEY, ID 83632-0072 (208)256-4419
Original Owner	HOMER BOTT 964 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4454
Original Owner	EDWARD T BUZZ BOTT 2320 HARMONY HTS RD OROFINO, ID 83544 (208)476-3970
Current Owner	TOM L GROSSEN PO BOX 72 INDIAN VALLEY, ID 83632-0072 (208)256-4419

Priority Date: 06/21/1921

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK GRAYS CREEK	GRAYS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.870 CFS	
	<u>Total Diversion:</u>	0.870 CFS	

Location of Point(s) of Diversion

NORTH FORK GRAYS CREEK	L2 (NW1/4SW1/4NW1/4)	Sec. 30, Twp 15N, Rge 01E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec		NE		NW		SW		SE							
	NE		NW		SW		SE		NE		NW		SW		SE		Totals

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	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
15N 01W 35							20.0				25.0						45.0

Total Acres: 45

Conditions of Approval:

1. This right is a split from former right 67-101 .
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.

Remarks:Comments:

1. mvanbussum 2/12/2007 ECVR

Comment: ECVR completed to recommend each splits proportional share.

2. mvanbussum 2/12/2007 Basis and EOP

Comment: Per e-mail conversation with Dan Narsavage, There have been two ditches from Fall Creek that dump into N Grays Creek. The older ditch is the ditch that 67-101 was decreed through, but it was never completed. The people who owned 67-101 (Grossens in-laws, if memory serves) and maybe some adjacent landowners went upstream and started digging that ditch from Fall Creek to supplement the water they were using from Grays Creek (the ditch from GC to their fields was already in use). However while digging the ditch, they crossed some very transmissive material, saw the futility in trying to seal the ditch, and abandoned the effort. Before that, though, they applied for a license and the MvA court apparently used that paperwork as evidence of priority and decreed 67-101 as coming from Fall Creek. Long story short: 67-101 never existed as decreed, but the Grays Creek water has been used on that land since before MvA. Apparently at some point after the decree, other people on N Grays Creek later went and dug the currently-active ditch that, if I remember correctly, completely blocks Fall Creek and diverts all its water down Grays Creek. But that ditch has no bearing on 67-101 and its children.

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:
 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>
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Contacts	2/12/2007 1:52:09 PM	mvanbussum	Active
POU	2/12/2007 3:26:10 PM	mvanbussum	Active
Quantity	2/12/2007 3:30:19 PM	mvanbussum	Active
Summary	02/12/2007	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	2/12/2007 1:52:23 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop
POU	2/12/2007 3:29:32 PM	mvanbussum	Updated PLS for Active POU
Quantity	2/12/2007 3:30:20 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	2/12/2007 3:30:59 PM	mvanbussum	(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? (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? (Yes) 10. Would you like to set the verification date?
POU	2/12/2007 3:26:10 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted by Roger Meyer 6-17-2005
POU	2/12/2007 3:29:22 PM	mvanbussum	Updated shape for Active POU

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Water Supply Bank: