

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2017

Water Right 67-4276

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SALUBRIA VALLEY PROPERTIES LLC 5500 W OLD SCHOOL LN MERIDIAN, ID 83656 (208) 447-9395
Original Owner	TOM OGLE INDIAN VALLEY, ID 83632
Original Owner	DELBERT T OGLE 1039 W INDIAN VALLEY RD CAMBRIDGE, ID 83610 (208) 256-4448
Previous Owner	ETHEL J PEARSON 2982 CUTLER RD CAMBRIDGE, ID 83610-5166 (208) 257-3541
Previous Owner	ROBIN L THORSEN 2982 CUTLER RD CAMBRIDGE, ID 83610-5166 (208) 257-3541

Priority Date: 5/1/1949

Basis: Decreed

Status: Active

Source
LITTLE WEISER RIVER

Tributary
WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.180 CFS	
	<u>Total Diversion</u>		0.180 CFS	

Source and Point(s) of Diversion

LITTLE WEISER RIVER SWNESE Sec. 9, Twp 14N, Rge 01W, ADAMS County

Place Of Use

IRRIGATION within ADAMS County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	9		4.5	11.0		5.8												21.3

POU Total Acres: 21.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2017

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 21.3 acres in a single irrigation season. Combined Right Nos.: 67-457, 67-458B, and 67-4276
3. W30 Use of this right is combined with storage water from C. Ben Ross Reservoir.

Comments:

1. csaxton 3/21/2006 POU
SESE of Section 4 is claimed under this right but is recommended under the waste water claim of 67-4273. In order to recommend SESE of Section 4 with live water, then waste water could not be recommended just based on how the system would have to work. If live Little Weiser water made it to SESE S.4, then it is not waste. It is either an enlargement, or a new appropriation of Little Weiser water. Thus, if it is waste water, then we can not say that live Little Weiser water made it to that POU.

2. csaxton 3/21/2006 Priority
Affidavit from person that has been neighbor to the property since 1949.

3. csaxton 3/21/2006 Diversion Rate
Per data provided by Roger Meyer, the POD recommended under this right can divert 1.82 cfs. The total diversion rate recommended from this POD is 1.02 cfs. No measurement needed.

4. csaxton 3/21/2006 Diversion Rate (2)
Recommend claimed diversion rate of 0.60 cfs. However, to bring this right and decreed rights 67-457 and 67-458B to one full inch per acre, IDWR could recommend up to 1 cfs under this right. According to Roger Meyers notes, the reason a greater diversion rate was not claimed was because the claimant uses C Ben Ross Reservoir storage water to supplement the live flow.

5. csaxton 3/21/2006 Copied From Claim (1)
Ownership changed by DH 7/8/2002

6. csaxton 3/21/2006 Copied From Claim (2)
THIS WATER IS CARRIED IN THE OGLE DITCH, FORMERLY KNOWN AS THE BAILEY-HUTCHINSON DITCH. ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

7. Ownership Change 11/7/2017 Split Right
Split into 67-15188

8. djudd 11/7/2017 Split Right
Split into 67-4276 & 67-15188 due to change in ownership

9. djudd 11/7/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 10/20/2008

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2017

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 67A
Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

21.3

67-457 ,67-458B ,67-4276

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
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11/3/2017

Water Right 67-4276

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Priority Date: 5/1/1949
Basis: Decreed
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>Volume</u>
IRRIGATION	03/15	10/31	0.600 CFS	
	<u>Total Diversion</u>		0.600 CFS	

Source and Point(s) of Diversion

LITTLE WEISER RIVER SWNESE Sec. 9, Twp 14N, Rge 01W, ADAMS County

Place Of Use

IRRIGATION within ADAMS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	4												24.0			7.0		31.0
14N	01W	9		12.0	22.0		5.8												39.8

POU Total Acres: 70.8

IDAHO DEPARTMENT OF WATER RESOURCES
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11/3/2017

Conditions of Approval:

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2. E56 The rights listed below are limited to the irrigation of a combined total of 70.8 acres in a single irrigation season. Combined Right Nos.: 67-457, 67-458B, and 67-4276
3. W30 Use of this right is combined with storage water from C. Ben Ross Reservoir.

Comments:

1. csaxton 3/21/2006 POU
SESE of Section 4 is claimed under this right but is recommended under the waste water claim of 67-4273. In order to recommend SESE of Section 4 with live water, then waste water could not be recommended just based on how the system would have to work. If live Little Weiser water made it to SESE S.4, then it is not waste. It is either an enlargement, or a new appropriation of Little Weiser water. Thus, if it is waste water, then we can not say that live Little Weiser water made it to that POU.
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Dates and Other Information

Decreed Date: 10/20/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 67A
Mitigation Plan: False

Combined Use Limits

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/3/2017

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
67-457 ,67-458B ,67-4276		70.8

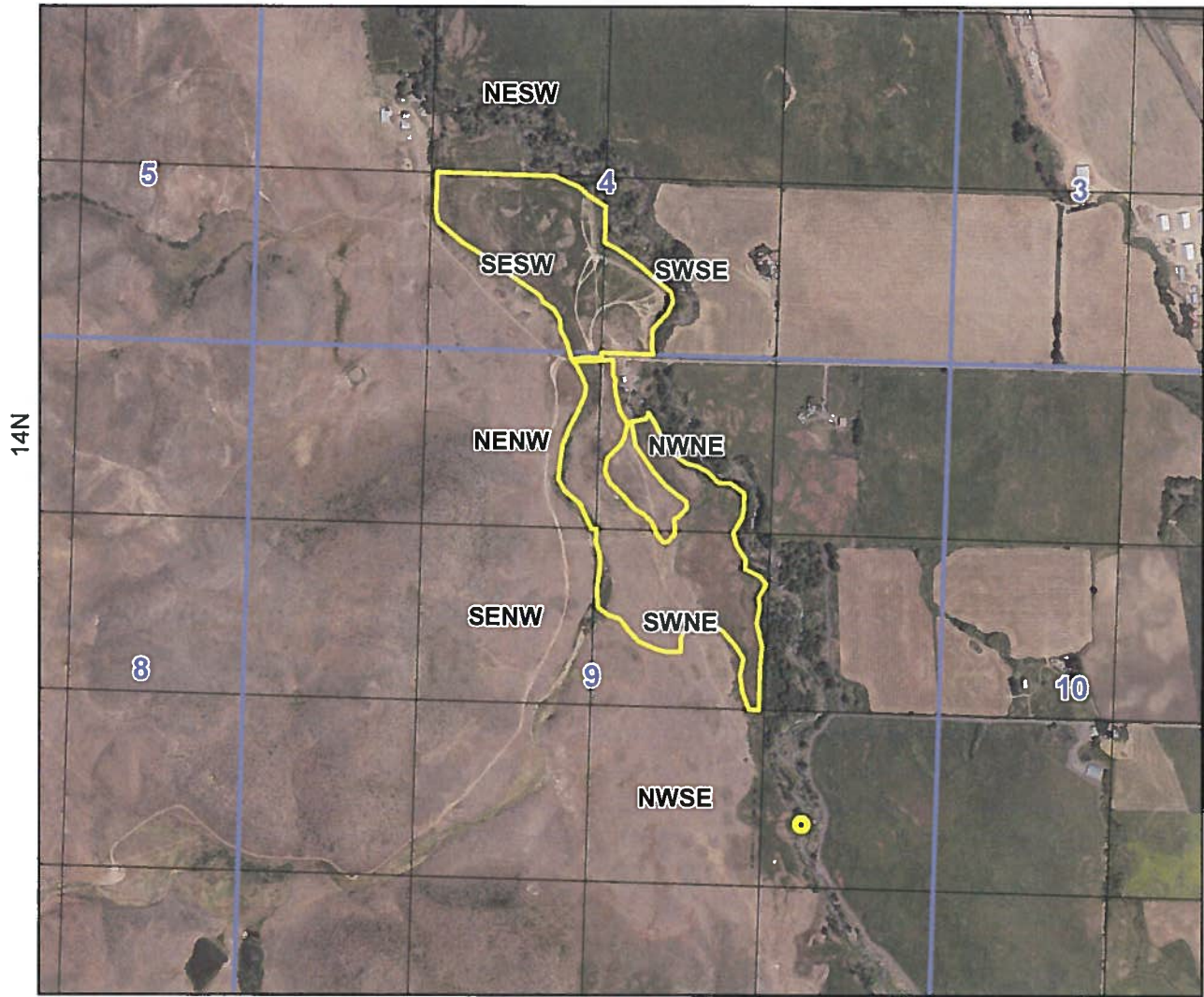
SubCase:
N/A

Water Supply Bank:
N/A

State of Idaho
Department of Water Resources
Water Right License
67-4276

Before Split

01W



0 0.15 0.3 0.6 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

