



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 5, 2010

SNAKE RIVER BASIN ADJUDICATION
ATTN: DIANA DELANEY
253 3RD AVE N
PO BOX 2707
TWIN FALLS ID 83303-2707

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 10 2010	
By _____	Clerk
_____	Deputy Clerk

RE: Correction of partial decrees for 67-475, 67-482, 67-487, 67-488B, 67-489, 67-4498, and 67-7420 due to licensing of 67-7479

Dear Diana Delaney,

The Idaho Department of Water Resources (IDWR) has recently issued license 67-7479. An Amended Directors Report (ADR) for subcase 67-7479 is enclosed.

The overlap analysis conducted when reviewing license 67-7479 discovered a need to change overlapping conditions on 7 partially decreed rights:

67-475, 67-482, 67-487, 67-488B, 67-489, 67-4498, 67-7420

During the status conference on January 20, 2010, Judge Wildman asked the Department to send correspondence to the court with the proposed recommendations for those rights that were decreed.

Enclosed are amended recommendations for the 7 partially decreed water rights referenced above. For convenience, I have noted the changes in underline/strikeout format.

Please contact me with any questions.

Sincerely,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosures: Amended Directors Reports: 67-475
67-482
67-487
67-488B
67-489
67-4498
67-7420

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-475

NAME AND ADDRESS: GORDON WILKERSON
3251 HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.500 CFS

~~Right Nos. 67-7479, 67-488B, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

The rights listed below are limited to a total combined diversion rate of
15.1 cfs and to a total combined annual diversion volume of 3018 AF.
Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

PRIORITY DATE: 05/01/1881

POINT OF
DIVERSION:

T14N R02W S1 NESENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S03	SWSW	22.60	T14N R02W S03	SESW	16.60
T14N R02W S10	NENW	27.40	T14N R02W S10	NWNW	36.50
103.1 ACRES TOTAL					

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of
754.4 acres in a single irrigation season. Combined Right Nos.: 67-475, 67-
482, 67-488B, 67-489, 67-7420, 67-7479

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 - Decreed

Point of diversion is the Micky Wilkerson diversion

Use of this right is combined with water from Little Weiser Irrigation District.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-482

NAME AND ADDRESS: CAROLYN WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

L K WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

CHARLES RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.500 CFS

~~Right Nos. 67-7479, 67-488B, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

The rights listed below are limited to a total combined diversion rate of
15.1 cfs and to a total combined annual diversion volume of 3018 AF.
Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

PRIORITY DATE: 05/01/1894

POINT OF
DIVERSION:

T14N R02W S1 NESEW Within ADAMS County
T14N R02W S1 NENESW Within ADAMS County
T14N R02W S9 SESW Within WASHINGTON County
T14N R02W S9 SWSE Within WASHINGTON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S09	NESE	40.00	T14N R02W S09	NWSE	38.00
T14N R02W S09	SWSE	26.00	T14N R02W S09	SESE	28.00
T14N R02W S16	NWNE	40.00			

172 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

Right Nos. 67-489 and 67-482 are limited to the irrigation of a combined total of 168 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of
754.4 acres in a single irrigation season. Combined Right Nos.: 67-475, 67-
482, 67-488B, 67-489, 67-7420, 67-7479

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 - Decreed

Use of this right is combined with water from Little Weiser Irrigation District.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-487

NAME AND ADDRESS: RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

GORDON WILKERSON
3251 U S HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.240 CFS

~~Right Nos. 67-7479, 67-488b, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

Right Nos. 67-487 and 67-4498 are limited to a total combined diversion rate
of 0.34 cfs.

PRIORITY DATE: 05/01/1891

POINT OF
DIVERSION:

T14N R02W S10 SENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.240 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S09 SWSW 17.00

17 ACRES TOTAL

Right Nos. 67-487 and 37-4498 are limited to the irrigation of a combined total
of 17.0acres in a single irrigation season.

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 - Decreed

Use of this right is combined with water from Little Weiser Irrigation District.

Point of diversion is also known as the Allison Ditch diversion.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-488B

NAME AND ADDRESS: CAROLYN WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

CHARLES RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

L K WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.720 CFS

~~Right Nos. 67-7479, 67-488B, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

The rights listed below are limited to a total combined diversion rate of
15.1 cfs and to a total combined annual diversion volume of 3018 AF.
Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

PRIORITY DATE: 05/01/1891

POINT OF
DIVERSION:

T14N R02W S10 SWSENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.720 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S09	NESW	15.00	T14N R02W S09	NWSW	4.00
T14N R02W S09	SWSW	18.00	T14N R02W S09	SESW	20.00

57 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of
754.4 acres in a single irrigation season. Combined Right Nos.: 67-475, 67-
482, 67-488B, 67-489, 67-7420, 67-7479

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 - Decreed

Point of diversion is also known as the Allison Ditch diversion.

Use of this right is combined with water from Little Weiser Irrigation District.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-489

NAME AND ADDRESS: CHARLES RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

CAROLYN WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

L K WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 1.600 CFS

~~Right Nos. 67-7479, 67-488B, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

The rights listed below are limited to a total combined diversion rate of
15.1 cfs and to a total combined annual diversion volume of 3018 AF.
Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

PRIORITY DATE: 05/01/1891

**POINT OF
DIVERSION:**

T14N R02W S1 NESENW Within ADAMS County
T14N R02W S9 SESW Within WASHINGTON County
T14N R02W S9 SWSE Within WASHINGTON County
T14N R02W S10 SWSENE Within WASHINGTON County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S09	NESE	40.00	T14N R02W S09	NWSE	38.00
T14N R02W S09	SWSE	26.00	T14N R02W S09	SESE	28.00
T14N R02W S16	NWNE	40.00			

172 ACRES TOTAL

This right is limited to the irrigation of 128 acres within the place of use described above in a single irrigation season.

Right Nos. 67-482 and 67-489 are limited to the irrigation of a combined total of 168 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of
754.4 acres in a single irrigation season. Combined Right Nos.: 67-475, 67-
482, 67-488B, 67-489, 67-7420, 67-7479

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 - Decreed

Use of this right is combined with water from Little Weiser Irrigation District.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4498

NAME AND ADDRESS: RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

GORDON WILKERSON
3251 U S HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.120 CFS

~~Right Nos. 67-7479, 67-488b, 67-487, 67-4498, 67-475, 67-489, and 67-482
are limited to a total combined diversion rate of 14.84 cfs.~~

Right Nos. 67-487 and 67-4498 are limited to a total combined diversion rate
of 0.34 cfs.

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

PRIORITY DATE: 05/02/1891

POINT OF
DIVERSION:

T14N R02W S10 SENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 10/31	0.100 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R02W S09 SWSW 17.00

STOCKWATER same as IRRIGATION

17 ACRES TOTAL

Right Nos. 67-487 and 37-4498 are limited to the irrigation of a combined total
of 17.0acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

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

Use of this right is combined with water from Little Weiser Irrigation District.

12/11/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-7420

NAME AND ADDRESS: CHARLES RUSSELL WILKERSON
3265 HWY 95
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 2.920 CFS
584.00 AFY

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The rights listed below are limited to a total combined diversion rate of 15.1 cfs and to a total combined annual diversion volume of 3018 AF.
Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

PRIORITY DATE: 10/12/1978

**POINT OF
DIVERSION:**

T14N R02W S1 SENW Lot 3 Within ADAMS County

Right 67-7494 is also diverted through the point of diversion described above.

This right does not grant any right-of-way or easement across the land of another.

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	2.920 CFS 584.00 AFY

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 S04	SWSW	0.30	T14N R02W S04	SESW	39.00
T14N R02W S04	SWSE	0.20	T14N R02W S09	NENE	29.00
T14N R02W S09	NWNE	39.00	T14N R02W S09	NENW	32.00
T14N R02W S09	SESW	6.50			

146 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 754.4 acres in a single irrigation season. Combined Right Nos.: 67-475, 67-482, 67-488B, 67-489, 67-7420, 67-7479

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.

Use of water under this right will be regulated by a watermaster with

responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67-A.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License