

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32654 V2

WATER RIGHT NUMBER: 63-32654 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARION SCHMELZEL RT 1 NEW PLYMOUTH, ID 83655
Original Owner	RALPH J MELLIN 4500 N TUMBLEWEED LN BOISE, ID 83713-2500 (208)322-7500
Directors Report Owner	MELLIN PROPERTIES LIMITED PARTNERSHIP RALPH MELLIN, GENERAL PARTNER 4500 N TUMBLEWEED LN BOISE, ID 83713-2500 (208)322-7500
Current Owner	BERNARD CHOUTCHOURROU 6020 SE 10TH AVE CALDWELL, ID 83605 (208)459-1898
Current Owner	TONI CHOUTCHOURROU 6020 SE 10TH AVE CALDWELL, ID 83605 (208)459-1898

Priority Date: 02/07/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.500 CFS	32.70 AF
STOCKWATER	01/01 to 12/31	0.500 CFS	107.70 AF
	<u>Total Diversion:</u>	0.500 CFS	107.70 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (SW1/4SW1/4)	Sec. 19, Twp 06N, Rge 03W, B.M.
PAYETTE County		
GROUND WATER	L4 (SW1/4SW1/4)	Sec. 19, Twp 06N, Rge 03W, B.M.
PAYETTE County		
GROUND WATER	L4 (SW1/4SW1/4)	Sec. 19, Twp 06N, Rge 03W, B.M.
PAYETTE County		

Place of Use

COMMERCIAL

Twp Rge Sec	NE	NW	SW	SE	
NE NW SW SE	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
06N 03W 19									X	X	X	X					
										L 3	L 4						
06N 03W 30						X	X										
						L 1	L 2										
06N 04W 24													X			X	
06N 04W 25	X	X	X	X									X	X		X	

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 03W 19											X						
											L 4						
06N 03W 30						X	X										
						L 1	L 2										

Conditions of Approval:

- 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- T07 The right holder shall accomplish the change authorized by Transfer 73779 within one year of the date of the approval.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- X35 Rights 63-9179B, 63-12364 and 63-32654 when combined shall not exceed a total annual maximum diversion volume of 32.7 af for commercial purposes.
- 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.
- F06 The following rights are diverted through points of diversion described above: 63-9179B, 63-12364, 63-32654
- This right is a split from former right 63-32396 .
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

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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:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32654 V1

WATER RIGHT NUMBER: 63-32654 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARION SCHMELZEL RT 1 NEW PLYMOUTH, ID 83655
Original Owner	RALPH J MELLIN 4500 N TUMBLEWEED LN BOISE, ID 83713-2500 (208)322-7500
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Current Owner	BERNARD CHOUTCHOURROU 6020 SE 10TH AVE CALDWELL, ID 83605 (208)459-1898
Current Owner	TONI CHOUTCHOURROU 6020 SE 10TH AVE CALDWELL, ID 83605 (208)459-1898

Priority Date: 02/07/1969

Basis: License

Status: Closed

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.500 CFS	135.00 AF
	<u>Total Diversion:</u>	0.500 CFS	135.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 01N, Rge 01W, B.M.
ADA 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	
01N	01W	21	7.0	5.0	8.0	10.0													30.0

Total Acres: 30

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Conditions of Approval:

1. This right is a split from former right 63-32396 .
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.
3. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Remarks:Comments: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:SubCase:

SubCase Number: 63-32654
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 3/12/2008
Attorney Assigned:
Adjudication Agent: Lori Harris
Basis of Claim: License

Water Supply Bank:

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