

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

WATER RIGHT NUMBER: 67-525B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CATHY SEMERAD 1281 MANN CREEK RD WEISER, ID 83672 (208)549-3101
Current Owner	CHARLES SEMERAD 1281 MANN CREEK RD WEISER, ID 83672 (208)549-3101

Priority Date: 04/01/1874

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANNS CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.320 CFS	
	<u>Total Diversion:</u>	0.320 CFS	

Location of Point(s) of Diversion

MANNS CREEK	SE1/4SE1/4SE1/4	Sec. 24, Twp 12N, Rge 05W, B.M.
WASHINGTON County		
MANNS CREEK	SE1/4SE1/4NE1/4	Sec. 11, Twp 12N, Rge 05W, 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	31					5.6	7.0	2.0	2.0									16.6
								L1	L2										

Total Acres: 16.6

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

3. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
4. 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. segbert 6/1/2004 Quantity
Comment: The right has been split

2. dnarsavage 11/16/2005 Split
Comment: This claim covers the area decreed to 67-525 in the Mann Creek decree perfectly. Swain claimed the A portion, but this should be disallowed. In talking to him, he freely admitted not understanding everything that was going on during claims-taking and simply going with what the IDWR rep was telling him. This right will receive the full amount of water decreed to 67-525

3. dnarsavage 1/12/2006 POU
Comment: In a telephone conversation with Mrs. Semerad, she told me that the portion of her property on the west side of Mann Creek is unirrigated.

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: OR
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>
Priority Date	6/1/2004 1:59:19 PM	segbert			Active
Source	6/1/2004 2:00:31 PM	segbert			Active
POU	6/1/2004 2:00:47 PM	segbert			Active
Use	6/1/2004 2:05:59 PM	segbert			Active
Season	6/1/2004 2:06:24 PM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

Quantity	6/1/2004 2:07:07 PM	segbert	Active
POD	6/1/2004 2:09:51 PM	segbert	Active
Season	6/10/2004 9:30:15 AM	mcase	Active
Priority Date	11/21/2005 12:52:50 PM	dnarsavage	Active
POD	11/21/2005 12:56:39 PM	dnarsavage	Active
Source	11/21/2005 12:58:33 PM	dnarsavage	Active
POU	11/21/2005 1:00:38 PM	dnarsavage	Active
Use	11/21/2005 1:01:54 PM	dnarsavage	Active
Quantity	11/21/2005 1:02:13 PM	dnarsavage	Active
Season	11/21/2005 1:02:38 PM	dnarsavage	Active
Summary	11/21/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	11/21/2005 12:58:34 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
General	11/21/2005 12:52:50 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
Season	11/21/2005 1:02:39 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

Summary	11/21/2005 1:03:39 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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? (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	11/21/2005 12:56:40 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POU	11/16/2005 9:21:56 AM	dnarsavage	Updated PLS for Active POU
Season	6/10/2004 9:30:16 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POD	8/11/2005 2:09:46 PM	dnarsavage	Correlated PODID 620488 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:46 PM	dnarsavage	Correlated PODID 620488 from SpatialDataID 304975 to SpatialDataID 9560
Quantity	6/1/2004 2:07:07 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	6/1/2004 2:09:52 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

Priority Date	6/1/2004 1:59:19 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	6/1/2004 2:00:31 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	6/1/2004 2:00:47 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	6/1/2004 2:05:59 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	6/1/2004 2:06:25 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use?
POU	11/16/2005 9:21:15 AM	dnarsavage	Updated shape for Active POU
POD	11/21/2005 10:37:59 AM	dnarsavage	Correlated PODID 620487 from SpatialDataID 366539 to SpatialDataID 10853
POD	11/21/2005 10:37:55 AM	dnarsavage	Correlated PODID 620487 from SpatialDataID 366539 to SpatialDataID 10853
POU	11/21/2005 1:00:38 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-525B V1

Use	11/21/2005 1:01:55 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Quantity	11/21/2005 1:02:14 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (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? (Yes) 12. Is a Quantity remark or condition required?

Water Supply Bank:

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Charles and/or Cathy Semerad
1281 Mann Creek Rd
Weiser, ID 83672

Re: SRBA claim **67-525B**

October 12, 2005

Dear Mr. and Mrs. Semerad:

My name is Dan Narsavage and it is my task to review the claims to water rights along Mann Creek in the Snake River Basin Adjudication (SRBA). In reviewing your SRBA claim, I have encountered some issues that I cannot resolve without your assistance. Please refer to the map, copy of the decree, and claim reports that I have enclosed with this letter when addressing the following:

The water right that you have claimed (67-525) was decreed for a total of 16.2 acres at 0.02cfs/acre, and without evidence to suggest otherwise I am limited to recommending these rights as they were decreed. You claimed that you have been irrigating 21 acres, and my initial assessment supports this. Consequently, there are currently roughly 4.8 acres of your irrigated land for which I cannot make a recommendation under this decreed right. This land in question will hereinafter be referred to as "the additional land."

There are a few actions that you may take in order to obtain a water right for the additional land. First, please inspect the enclosed map and ensure that my initial assessment of your irrigated lands in the aerial photo is accurate.

Second, in order to recommend a water right on the additional land, you will most likely need to file either a beneficial use claim or an enlargement claim.

A beneficial use claim would be filed if you can show that the additional land was irrigated prior to May 20, 1971. A beneficial use claim establishes that a new appropriation of water took place prior to the mandatory permit statute (May 20, 1971) and additional water was used to irrigate the additional land.

An enlargement claim would be for additional land that commenced being irrigated after May 20, 1971 and prior to the commencement of the SRBA on November 19, 1987. An enlargement claim will not allow you to divert additional water, but will allow you to use your decreed water (0.32cfs in this case) on the additional land.

Another issue that I would like to address before making my recommendation is in regards to how you get water from the east side of Mann Creek to the west side. Please provide this information as well in your reply.

I look forward to hearing from you in the near future. Please call, write, or email me on or before **November 11, 2005** so that I may recommend your SRBA claims in a timely and accurate manner. I understand that it has been several years since you filed these claims and that the goals of this letter may not be completely clear to you. If this is the case, please call me and I will gladly discuss your options with you. Thank you very much for your time.

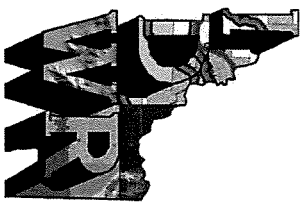
Sincerely,

Daniel L. Narsavage
GIS Specialist

Telephone: 208-287-4885
E-mail: Dan.Narsavage@idwr.idaho.gov

Enclosures:

- Map: "67-525 B" (1p)
- Copy of Jefferson vs. Higgenbotham decree (1p)
- Claim report for 67-525 B (2pp)



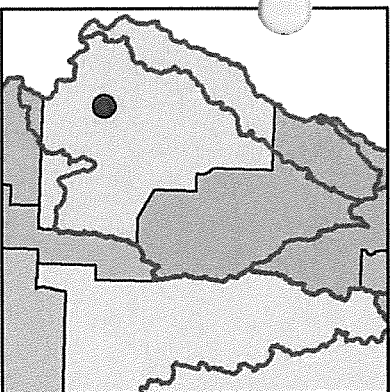
Idaho Department of Water Resources

Adjudication Claim Number: **67-525 B**

T12N R04W
T12N R05W

Legend

- ☐ Semerad Claimed POU
- ☐ Section Lines



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, October 13, 2005
1987 Aerial Photography

Follow-up notes:

DLN

Talked with Mrs. Semerad on the phone on 11/4/05. She says that she does not irrigate the acreage on the west side of the creek and that there are some steep areas in the "middle field," which is the darker-green area just west of Mann Creek Road, that don't get irrigated. Taking these areas out, there are only about 16 or 17 acres left. The decreed right will do.

Mrs. Semerad also said that she's been paying MCID for 21 acres of irrigation and would prefer to keep it that way. I told her that that was between her and MCID. Also, her husband is deceased. I invited her to file a C/O to indicate this and she indicated that she already did. Presumably it's caught up in the backlog somewhere.

RECEIVED
NOV 15 2005
Department of Water Resources

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: SRBA claim 67-525B

November 11, 2005

Dear Mr. Narsavage:

I'm writing this letter in reference to our telephone conversation on
November 4, 2005

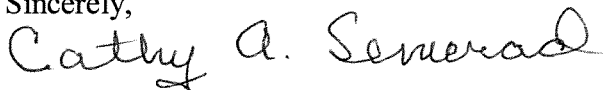
I am enclosing the map, on which the areas that we discussed, have been marked.

The field which is west of Manns Creek, is approximately three acres, and is not being irrigated.

The hillside below the top field, which has a road running from the south line to the north line and then curving down into the field, is approximately two and one half acres, and is not irrigated, due to the road.

If you have any other questions please let me know.
Thank you for your help.

Sincerely,

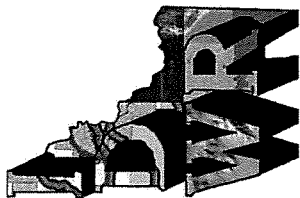


Cathy A. Semerad
1281 Mann Creek Road
Weiser, ID 83672-5529
208 549-3101

SCANNED

NOV 15 2005

Idaho Department of Water Resources



T12N R04W
T12N R05W

Adjudication Claim Number: **67-525 B**

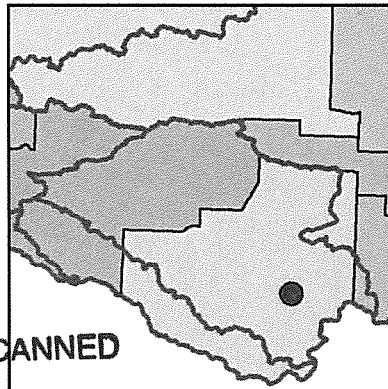
Legend

Semerad Claimed POU

Section Lines

SCANNED

NOV 15 2005



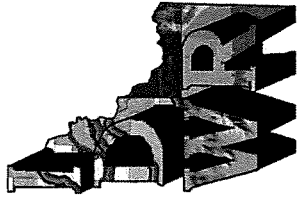
Washington County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by D. Narsavage
On Thursday, October 13, 2005
1987 Aerial Photography

Idaho Department of Water Resources

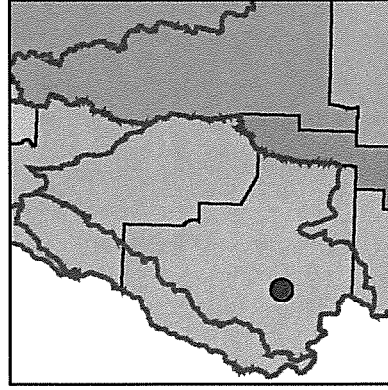


T12N R04W

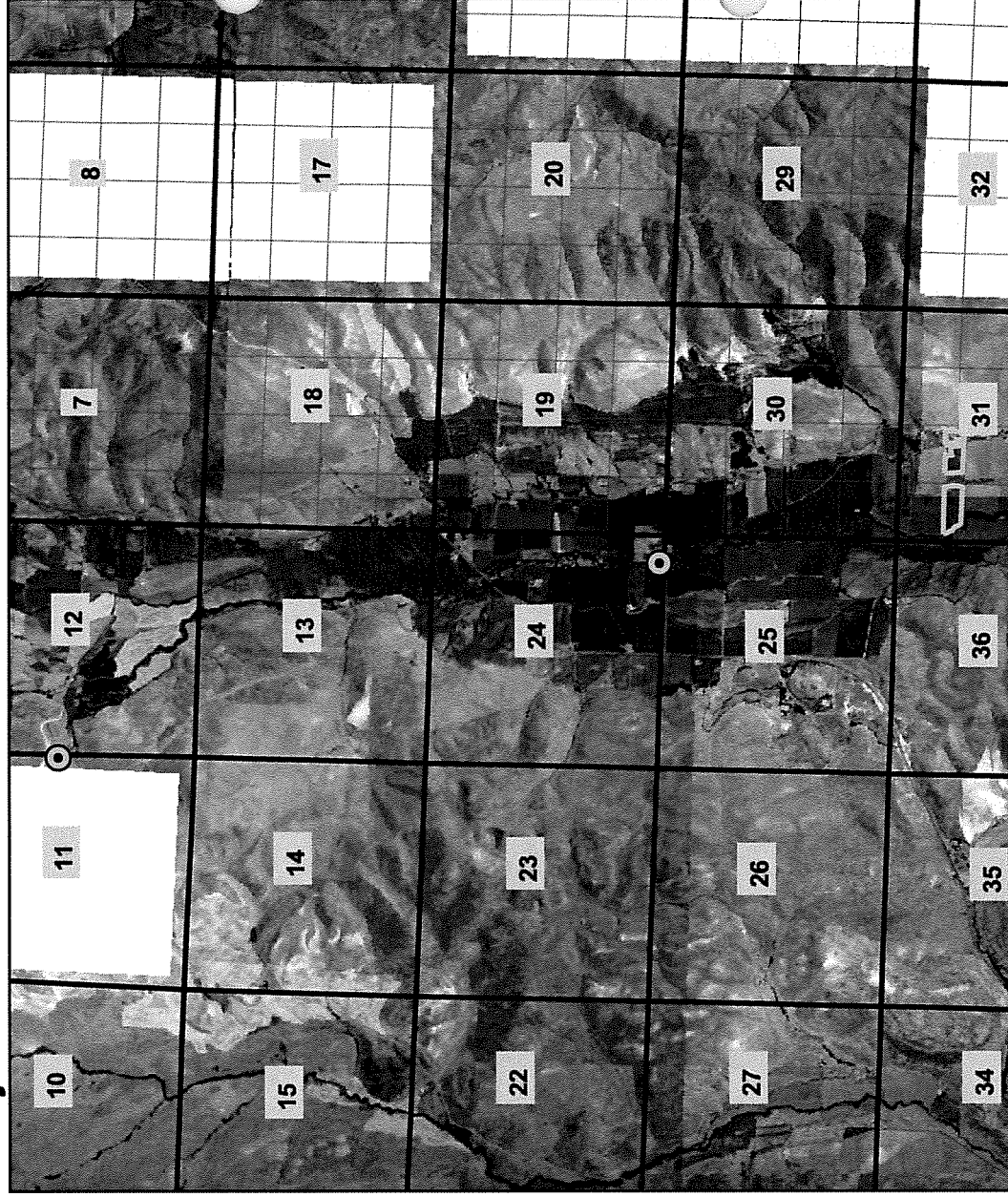
Adjudication Claim Number: **67-525B**

Legend

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

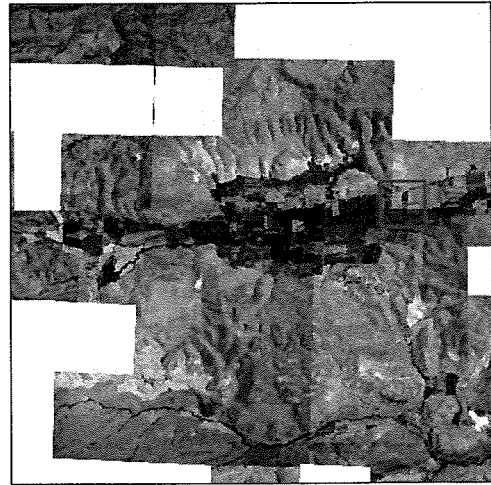


Washington County
IDWR Basin 67

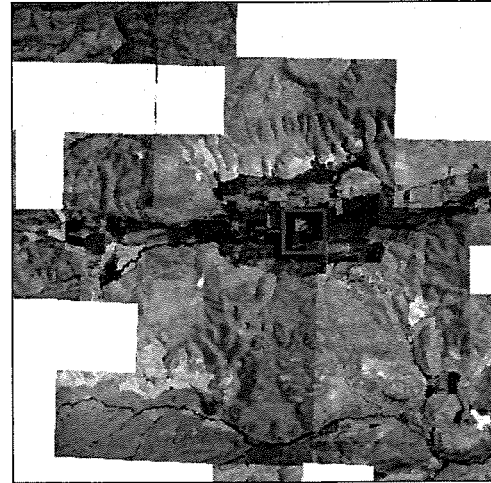


Prepared by D. Narsavage
On Thursday, January 12, 2006
1987/88 Aerial Photography

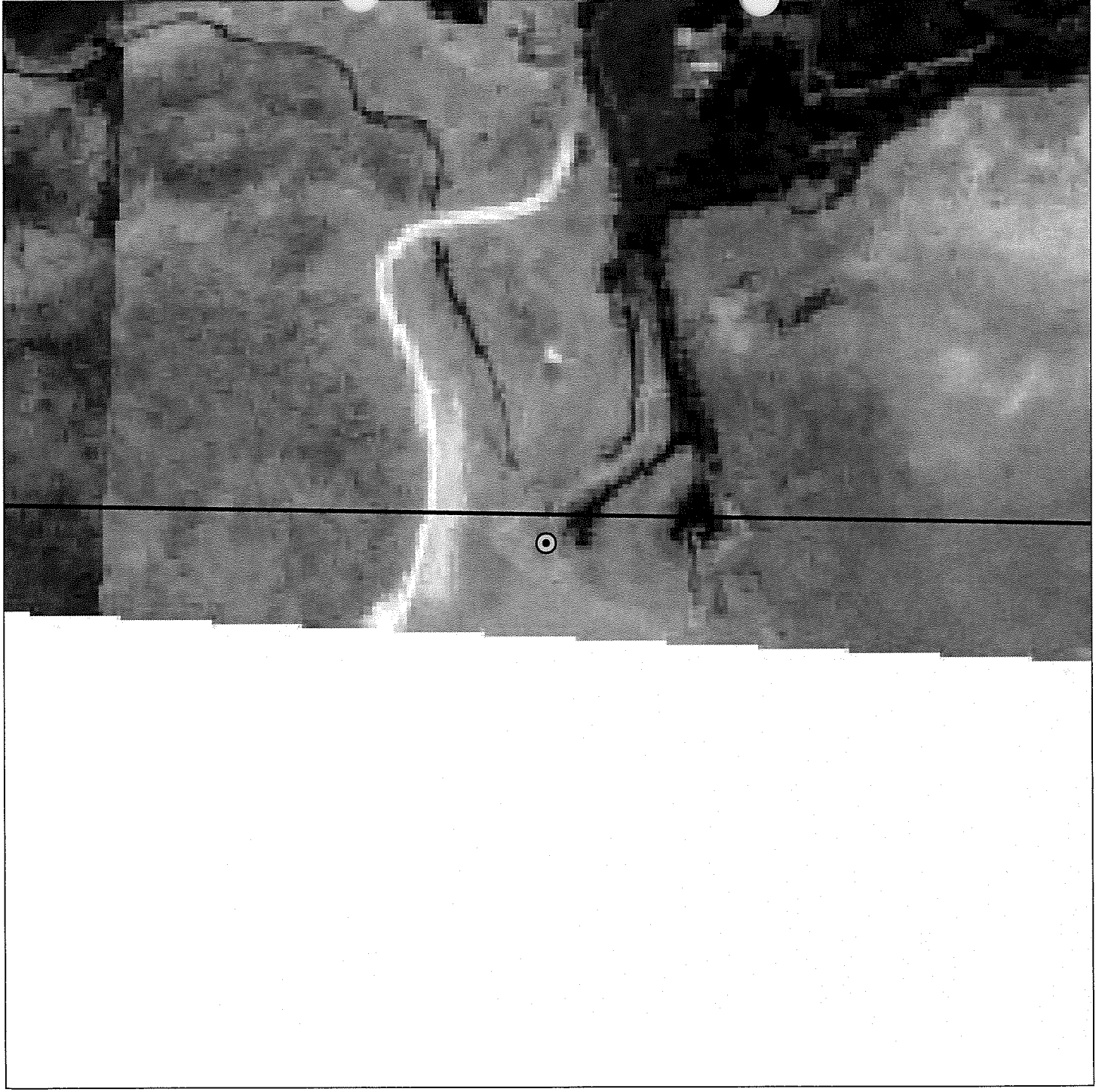
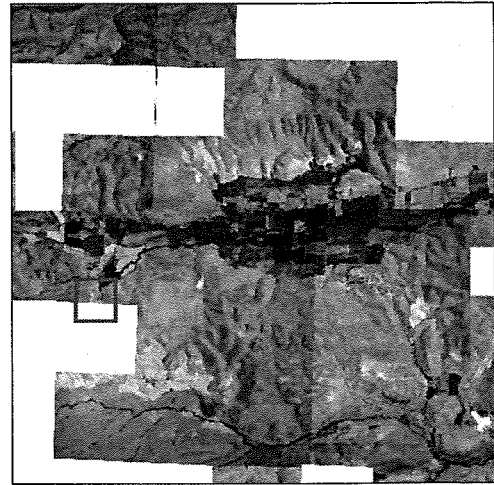
Rec67-525B



Rec67-525B



Rec67-525B



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: A67-00525B
Date Received: 10/11/1989
Receipt No: W006196
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES SEMERAD 208-549-3101
Address: 1281 MANN CREEK RD.
WEISER, ID 83672
OR
Name: CATHY SEMERAD 208-549-3101
Address: 1281 MANN CREEK RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1874

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	05W	11	SE	SE	NE		WASHINGTON
		24	SE	SE	SE		WASHINGTON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING.

A67-00525B

Page 1

Date: 10/11/89

SCANNED
APR 06 2004
MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	31	NE	NW		IRR	8.0
			NW	NW		IRR	9.0
			SW	NW		IRR	2.0
			SE	NW		IRR	2.0
					Section Acres		21.0
					Total Acres		21.0

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:
MANN CREEK IRRIG. DIST. STOR. RTS.

14. Remarks:
DESC. OF DIVERTING WORKS - DIVERSION IS VIA BOTH THE WEBB DITCH AND THE MANN CREEK DITCH AS INDICATED IN THE POINTS OF DIVERSION. DIVERSION FROM DITCHES VIA HEADGATES, GRAVITY FLOW, AND FLOOD IRRIGATION. NOTE: ANOTHER FILING HAS BEEN MADE ON THIS WATER RIGHT AND IS NO. A67-00525A. HOWEVER, THIS SPLIT(A) IS IN ERROR AND WILL NEED TO BE CHANGED SINCE THE CLAIMANTS LEGAL DESCRIPTION (ATTACHED) IS THE EXACT LEGAL IN THE MANN CREEK DECREE UNDER WATER RIGHT NO. 67-00525. THEREFORE, THIS CLAIM SHOWS THE ENTIRE RIGHT FOR 00525 AND IS NOT A SPLIT OF THAT RIGHT. IT IS NUMBERED B TO DESIGNATE AN ADDITIONAL FILING ON THIS RIGHT.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

VS

Decree Defendant

MICROFILMED
OCT 01 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Charles T Semerap Date: Oct 11/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 89

Jan Thute
Notary Public

Residing at

My Commission Expires

Meridian ID
9-14-94

Seal

LEGAL DESCRIPTION

A portion of Section 31, Township 12 North, Range 4 West of the Boise Meridian, described as follows:

All that portion of the following described parcel lying Westerly of the County Road.

Commencing at a point 60 rods South of the Northwest corner of Section 31, Township 12 North, Range 4 West, Boise Meridian and running thence East 160 rods parallel to the North line of said section; thence South 25 rods; thence West 160 rods; thence North 25 rods to the POINT AND PLACE OF BEGINNING.

Further description:

	ACRES
N/2,NW/4,NW/4,NW/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NW/4,NW/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NE/4,NW/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NE/4,NW/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NW/4,NE/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NW/4,NE/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NE/4,NE/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NE/4,NE/4,SW/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NW/4,NW/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NW/4,NW/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NE/4,NW/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NE/4,NW/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NW/4,NW/4,NE/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
N/2,NE/4,NW/4,NE/4,SE/4,NW/4,Sec.31,T12N,R4W	0.3125
S/2,SW/4,NW/4,NW/4,Sec.31,T12N,R4W	5.0000
S/2,SE/4,NW/4,NW/4,Sec.31,T12N,R4W	5.0000
S/2,SW/4,NE/4,NW/4,Sec.31,T12N,R4W	5.0000

Portions of the following parcels lying Westerly of the County Road:

N/2,NW/4,NE/4,NE/4,SE/4,NW/4,Sec.31,T12N,R4W	0.0510
SW/4,SE/4,NE/4,NW/4,Sec.31,T12N,R4W	2.3699
SE/4,SE/4,NE/4,NW/4,Sec.31,T12N,R4W	0.0198

TOTAL ACRES 21.8157

MICROFILMED

OCT 01 1992

WATER RESOURCES

WEBB DITCH:

Location - Headgate is 60 feet NE of corner of property.
Point of entry - Extreme NE corner of property.
Manner of entry - 8" underground pipe feeds 8" gated pipe
which runs next to North boundary of property
from NE corner to Manns Creek.
Date of first use -
Volume used - 18 acre-feet or 5,865,000 gal/yr

DOMESTIC WELL:

Location - 140 feet west and 20 feet south of NE corner
of property.
Depth - 70 feet
Date of first use - May 1957
Volume used - 10 gal/hr or 120 gal/day or 40,000 gal/yr

NORTH SPRING:

Location - 780 feet West and 45 feet South of NE corner
of property.
Development - 2" underground pipe laid to stock water trough.
Date of first use - 1983
Volume used - Stock water and irrigation (est 500,000 gal/yr)

SOUTH SPRING:

Location - 760 feet West and 40 feet North of SE corner
of property.
Development - Ditch and collection pond down-hill from spring.
Date of first use - June 1985
Volume used - Stock water and irrigation (est 250,000 gal/yr)

MANNS CREEK:

Location - Continuous flow through property.
Point of entry - 270 feet East of NW corner of property.
Date of first use - unknown
Volume used - Stock water

MICROFILMED
OCT U 1 1992

LEGAL DESCRIPTION

A portion of Section 31, Township 12 North, Range 4 West of the Boise Meridian, described as follows:

All that portion of the following described parcel lying Easterly of the County Road.

Commencing at a point 60 rods South of the Northwest corner of Section 31, Township 12 North, Range 4 West, Boise Meridian and running thence East 160 rods parallel to the North line of said section; thence South 25 rods; thence West 160 rods; thence North 25 rods to the POINT AND PLACE OF BEGINNING.

Further Description:

ACRES

N/2, NE/4, NE/4, NE/4, SE/4, NW/4, Sec. 31, T12N, R4W 0.3125

Portions of the following parcels lying Easterly of the County Road:

N/2, NW/4, NE/4, NE/4, SE/4, NW/4, Sec. 31, T12N, R4W 0.2615

SE/4, SE/4, NE/4, NW/4, Sec. 31, T12N, R4W 2.4802

SW/4, SE/4, NE/4, NW/4, Sec. 31, T12N, R4W 0.1301

TOTAL ACRES 3.1843

MICROFILMED

OCT 01 1992

WATER RESOURCES

MANNS CREEK DITCH:

Location - Headgate is 145 feet east of NE corner of property.

Manner of entry - 6" underground pipe feeds 30" sump which flows into ditches for distribution.

Date of first use - Prior to 1928

Volume used - 3.0 acre-feet or 978,000 gal/yr (irrigation)

Location - Extreme NW corner of property

Manner of entry - field ditch from north deriving from Manns Creek ditch by-pass to Manns Creek.

Date of first use - unknown

Volume used - 2.9 acre-feet or 945,000 gal/yr (irrigation)

WEBB DITCH:

Location - Flows parallel to and approximately 35 feet east of the west boundary of the property.

Point of entry - 35 feet east of the NW corner of property.

Manner of entry - Continuing ditch

Date of first use - ?

Volume of use - Stockwater

MICROFILMED
OCT 01 1992