

Split Analysis

Water Right Number:	67-544
Diversion Rate:	2.99 CFS
Reviewer Name:	Dan Narsavage
Date:	21-Dec-05

[illegible]

67-544 (149.0 ac & 2.99 cfs)	67-544A (31.0 ac & 0.62 cfs)
	67-544B (16.0 ac & 0.32 cfs)
	67-544C (16.0 ac & 0.32 cfs)
	67-544D (71.0 ac & 1.42 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-544	2.99	149	0.020
67-544A	0.62	31	0.020
67-544B	0.32	16	0.020
67-544C	0.32	16	0.020
67-544D	1.42	71	0.020

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

WATER RIGHT NUMBER: 67-544D V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES A BROWN 1655 DEER CREEK RD WEISER, ID 83672 (208)549-2585

Priority Date: 03/15/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN 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	1.420 CFS	
	<u>Total Diversion:</u>	1.420 CFS	

Location of Point(s) of Diversion

MANN 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	05W	12			37.0	34.0													71.0

Total Acres: 71

Conditions of Approval:

1. 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.
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. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-544D V1

Comments:

1. segbert 6/8/2004 Priority Date
Comment: The day is 3-15 instead of the usual 6-1

2. dnarsavage 7/6/2005 POU
Comment: Updated Shape

3. dnarsavage 7/6/2005 POU
Comment: Updated PLS

4. dnarsavage 7/6/2005 POU
Comment: Updated Shape

5. dnarsavage 7/6/2005 POU
Comment: Updated Shape

6. dnarsavage 7/7/2005 POU
Comment: Updated Shape

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>
Priority Date	6/8/2004 9:03:47 AM	segbert			Active
Source	6/8/2004 9:04:53 AM	segbert			Active
POU	6/8/2004 9:05:07 AM	segbert			Active
Use	6/8/2004 9:13:16 AM	segbert			Active
Season	6/8/2004 9:14:03 AM	segbert			Active
Quantity	6/8/2004 9:14:37 AM	segbert			Active
POD	6/8/2004 9:19:00 AM	segbert			Active
Season	6/10/2004 9:35:29 AM	segbert			Active
Priority Date	8/12/2005 9:30:26 AM	dnarsavage			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

POD	8/12/2005 9:30:48 AM	dnarsavage	Active
Source	8/12/2005 9:31:05 AM	dnarsavage	Active
POU	8/12/2005 9:31:27 AM	dnarsavage	Active
Use	8/12/2005 9:32:16 AM	dnarsavage	Active
Season	8/12/2005 9:33:02 AM	dnarsavage	Active
Quantity	8/12/2005 9:33:49 AM	dnarsavage	Active
Summary	08/12/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	6/10/2004 9:35:30 AM	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? (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?
Use	6/8/2004 9:13:17 AM	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?
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:14 AM	dnarsavage	Updated shape for Active POU
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:48:13 AM	dnarsavage	Updated shape for Active POU
POU	9/21/2005 9:56:05 AM	dnarsavage	Updated shape for Active POU
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:57:40 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:48:26 AM	dnarsavage	Updated shape for Active POU
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
General	8/12/2005 9:30:26 AM	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? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

POD	8/12/2005 9:30:49 AM	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? (No) 10. Is a POD remark and/or condition required?
POU	8/12/2005 9:31:28 AM	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?
Use	8/12/2005 9:32:17 AM	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?
Summary	8/12/2005 9:34:49 AM	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? (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? (No) 10. Would you like to set the verification date?
Source	8/12/2005 9:31:06 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

Season	8/12/2005 9:33:02 AM	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?
Quantity	8/12/2005 9:33:50 AM	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? (No) 12. Is a Quantity remark or condition required?
POD	8/11/2005 2:09:49 PM	dnarsavage	Correlated PODID 620760 from SpatialDataID 304975 to SpatialDataID 9560
POU	11/9/2005 10:33:03 AM	dnarsavage	Updated PLS for Active POU
POU	11/9/2005 10:34:24 AM	dnarsavage	Updated shape for Active POU
POU	11/9/2005 10:34:43 AM	dnarsavage	Updated PLS for Active POU
Season	6/8/2004 9:14:04 AM	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? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-544D V1

Quantity	6/8/2004 9:14:38 AM	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? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	6/8/2004 9:19:01 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Priority Date	6/8/2004 9:03:48 AM	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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	6/8/2004 9:04:54 AM	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	6/8/2004 9:05:08 AM	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?
POU	6/8/2004 9:13:04 AM	segbert	Edited shape boundary
POU	9/21/2005 9:57:37 AM	dnarsavage	Updated shape for Active POU
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0
POU	9/21/2005 9:58:16 AM	dnarsavage	Updated shape for 0

Water Supply Bank:



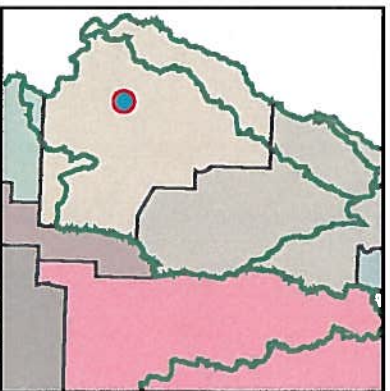
Idaho Department of Water Resources

Adjudication Claim Number: **67-544D**

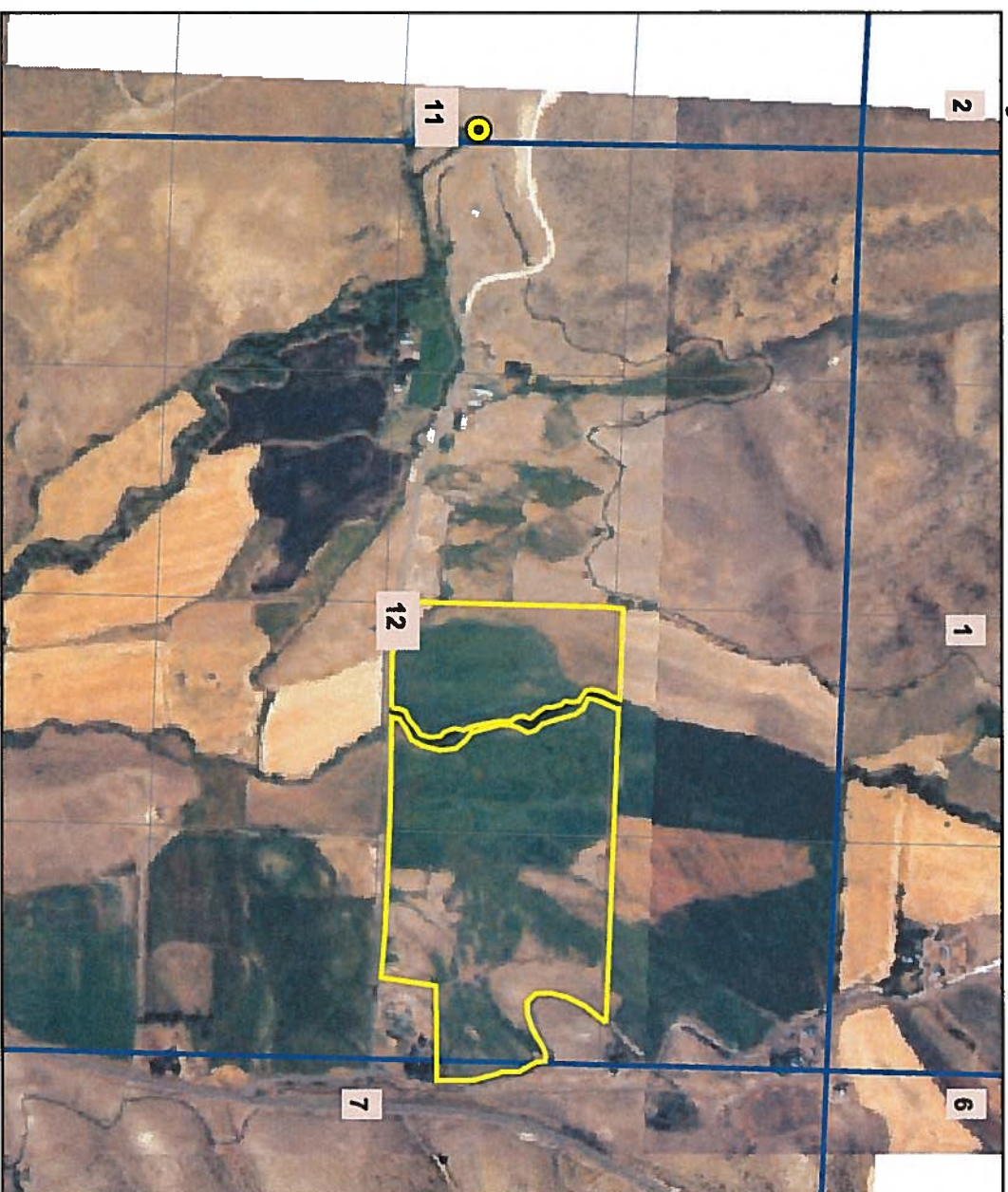
T12N R05W

Legend

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



Washington County
IDWR Basin 67

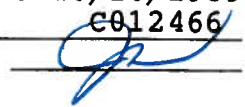


Prepared by D. Narsavage
On Monday, December 5, 2005
1987/88 Aerial Photography

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: A67-00544D
Date Received: 10/20/1989
Receipt No: C012466
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES A. BROWN 208-549-2585
Address: 1655 DEER CREEK RD.
WEISER, ID 83672

2. Date of Priority: MAR 15, 1884

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

4. Point of Diversion:

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

5. Description of diverting works:
MANN CREEK DAM & JOSLIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is 260.4 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	12	SW	NE		IRR	39.0
			SE	NE		IRR	34.0

SCANNED
APR 06 2004

A67-00544D

Page 1

Date: 08/21/90

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	73.0
					Total Acres	73.0

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 STOR. RIGHTS.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court : 7TH

Decree date: 6/03/1921

JEFFERSON, ET AL
Decree Plaintiff

vs HIGGENBOTHAM, ET AL
Decree Defendant

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

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 01 1992

CIVIL CASE NUMBER: 39576
Ident. Number A67-005440
Date Received 10-20-89
Receipt Number C012466

RECEIVED

OCT 20 1989

posted 10/19/89

Department of Water Resources

1. Name of Claimant (s) JAMES A. BROWN Phone (208) 549-2585

Mailing Address 1655 DEER CREEK RD. WEISER ID Zip 83672

2. Date of Priority (Only one (1) per claim) 3-15-1884

3. Source of water supply (a) MANN CREEK
which is tributary to (b) WEISER RIVER

4. a. Location of existing point of diversion is: Township 12N Range 5W Section 11,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. MANA SETHU DAM

JOSLIN DITCH

MICROFILMED

OCT 01 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAR 15 to NOV 15 amount 1.488 or 1.46 ^{JB}

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.488 1.46 ^{JB} (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 260.4 ^{JB} acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>12N</u>	<u>5W</u>	<u>12</u>			X	X													<u>44.4</u>
					<u>39.34</u>	<u>JB</u>													<u>73</u> ^{JB}

Total number of acres irrigated 44.4 73

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
STORAGE WATER VIA MANN CREEK IRRIGATION DISTRICT or None ()

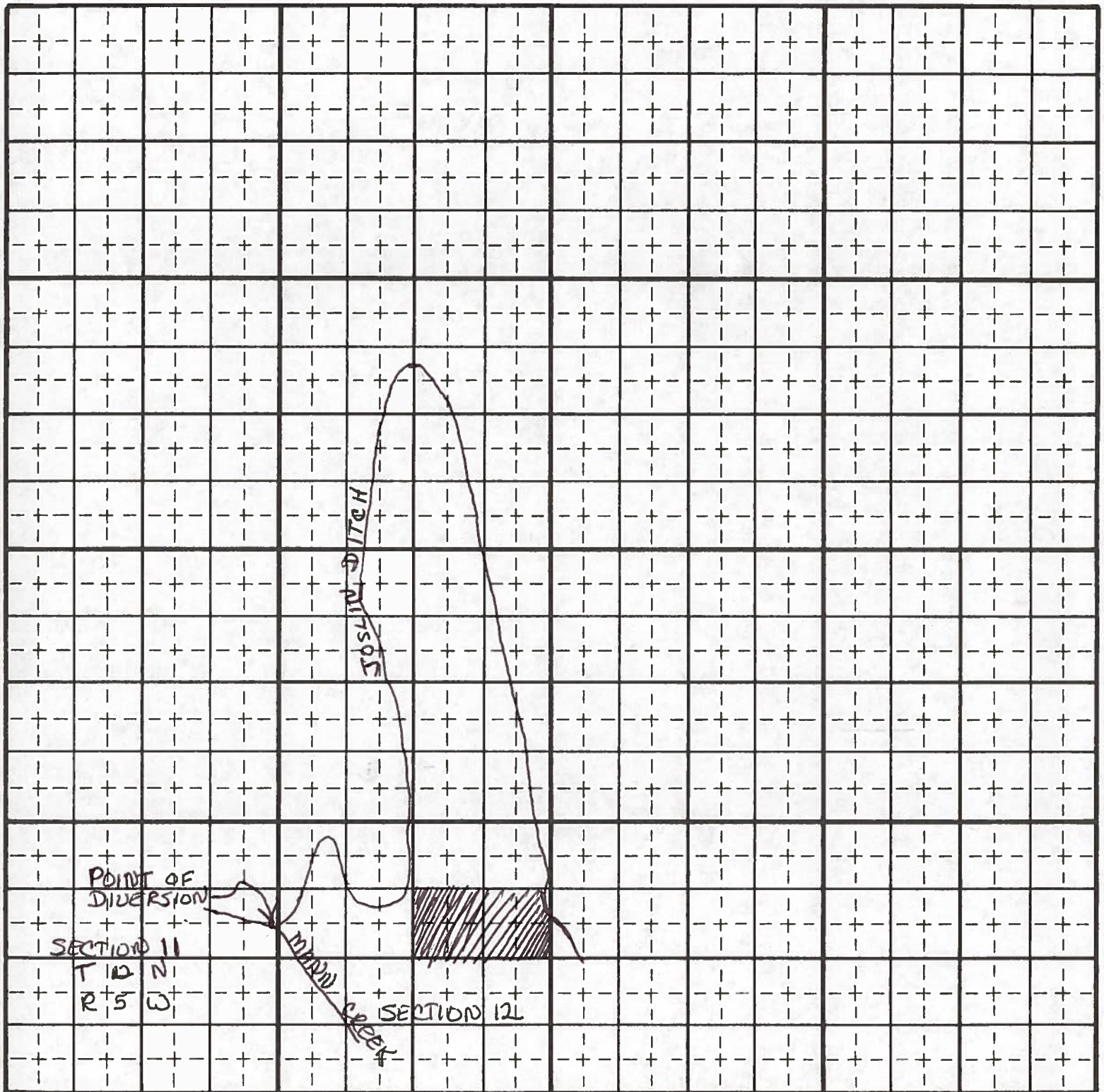
14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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OCT 01 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court 7th DISTRICT Case Number 67-544 Decree Date 6-3-1921

Plaintiff vs Defendant JEFFERSON, ET AL VS HIGGENBOTHAM, ET AL

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature]

Date 10/18/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or IDAHO)

) SS.

County of WASHINGTON)

Subscribed and sworn (or affirmed) before me this 18th day of OCT 19 89

SEAL

Notary Public [Signature]

Residing at Weller, IDAHO

My Commission Expires 10-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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OCT 01 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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

Date Received _____

Receipt Number

10-23-89

CU12466

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

RECEIVED

OCT 20 1989

posted 10/19/89

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) JAMES A. BROWN Phone (208) 549-2585

Mailing Address 1655 DEER CREEK RD. WEISER ID Zip 83672

2. Date of Priority (Only one (1) per claim) 1884

3. Source of water supply (a) MANN CREEK
which is tributary to (b) WEISER RIVER

4. a. Location of existing point of diversion is: Township 12N Range 5W Section 11,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4.

Govt. Lot _____ B.M., County of _____

ending point is: Township 57 N Range 10 E Section 10, 1/4 of 1 1/4 of 36

1/4, Govt. Lot 1 B.M., County of San Diego

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. MANN SPRING DAM

JOSLIN DITCH

MICROFILMED

~~OCT 01 1992~~

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAR 15 to NOV 15 amount 1.488 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.488 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>12N</u>	<u>5W</u>	<u>12</u>			<u>X</u>	<u>X</u>													<u>74.4</u>

Total number of acres irrigated 74.4

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

STORAGE WATER VIA MANN CREEK IRRIGATION DISTRICT or None ()

14. Remarks:

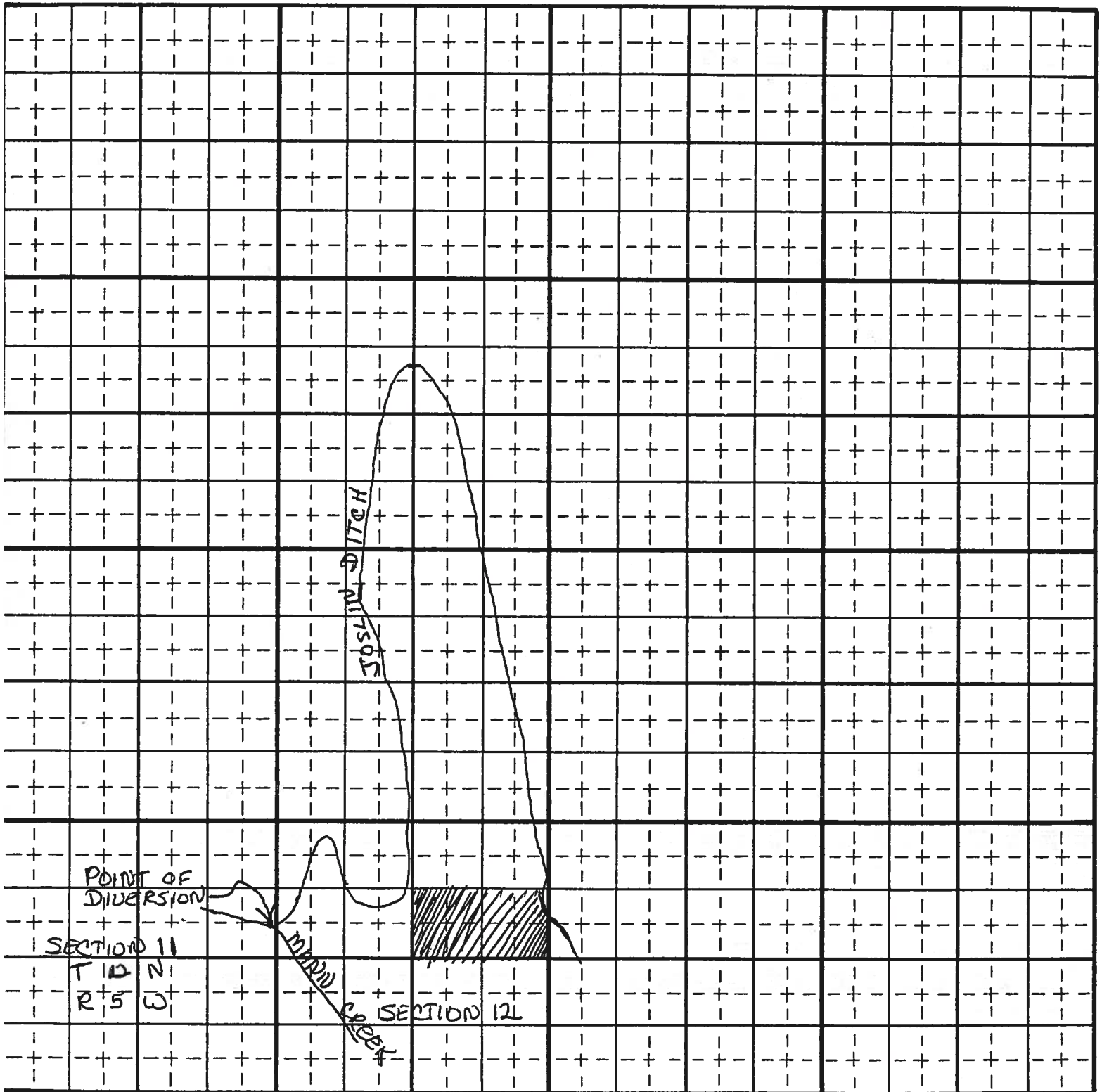
MICROFILMED
OCT 01 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
OCT 01 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____

Court 7th DISTRICT Case Number 67-544 Decree Date 6-3-1921

Plaintiff vs Defendant JEFFERSON, ET AL VS HIGGENBOTHAM, ET AL

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)



Date 10/18/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

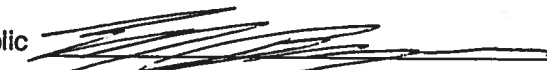
State of Idaho/or IDAHO)
County of WASATCH) SS.

Subscribed and sworn (or affirmed) before me this 18th day of OCT 19 89

SEAL

Notary Public

Residing at


Weiler, IDAHO

My Commission Expires

10-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

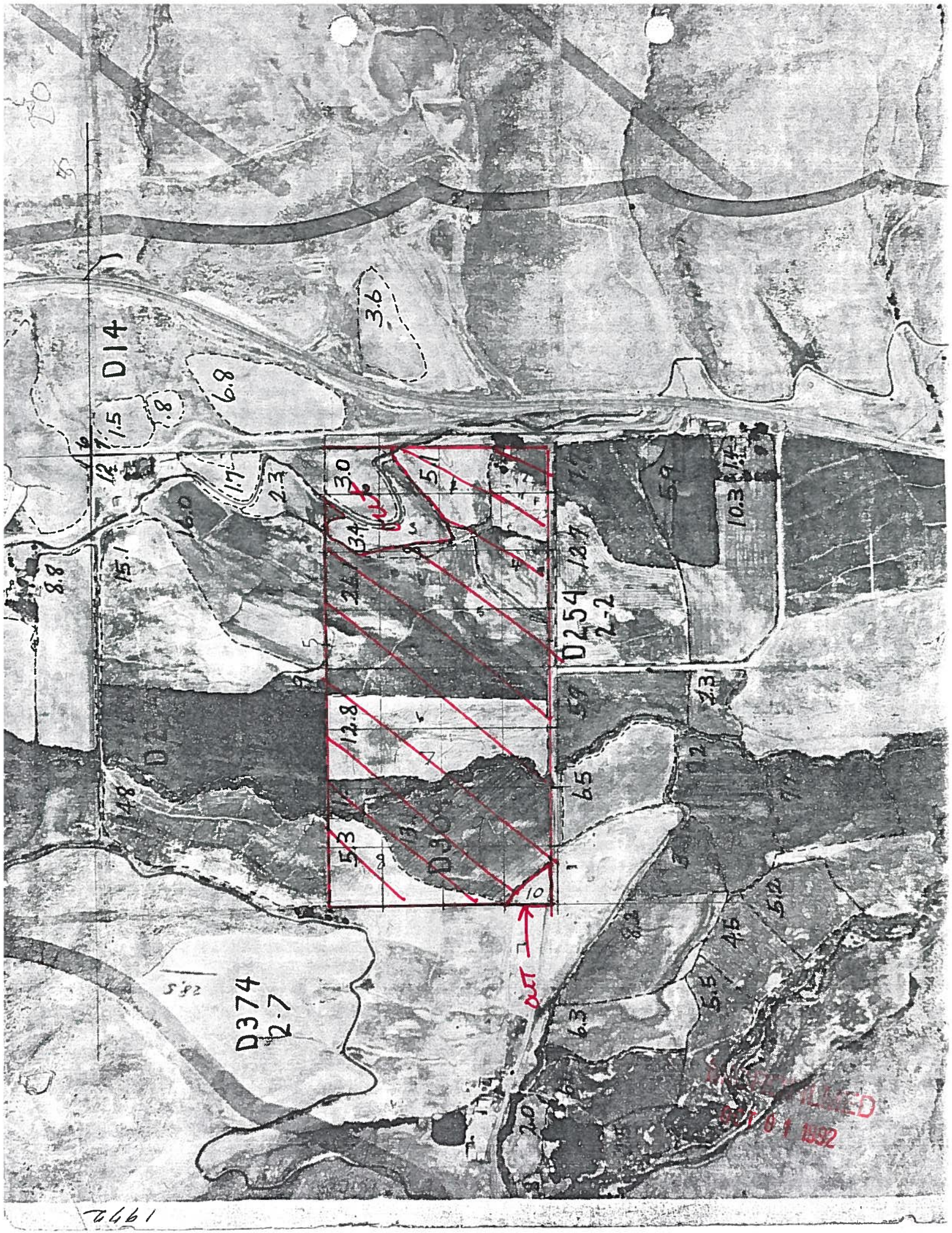
Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant



D14

1.5

12

15.1

148

D2

5.3

12.8

2.1

3.4

3.0

5.1

3.6

6.8

1.7

2.3

16.0

5.9

10.3

2.2

12.7

5.9

6.5

1

10

2.0

6.3

8.2

5.5

2.7

5.3

4.5

5.2

5.0

5.2

5.2

5.2

5.2

5.2

5.2

5.2

5.2

5.2

5.2

D374

2.7

RECEIVED
JAN 10 1992

1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIM IDENT. NO. A67-CLAIMANT'S NAME BrownDATE RECEIVED 10/30/89CR # CO137466

AMOUNT \$ _____

YES

NO

Require
Info?1. Is the name and address complete with zip code? 12/31/1984 ☒ YES ☐ NO *

2. Is a priority date entered?

Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memo #1 and #4 to determine if a permit is required. ☒ YES ☐ NO *3. (a) Is a source entered? ☒ YES ☐ NO *(b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO *4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO5. Is there a description of the diverting works? ☒ YES ☐ NO6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *Is the period of use included? ☒ YES ☐ NO *Is a quantity claimed for each use? ☒ YES ☐ NO7. Is a total quantity claimed entered? ☒ YES ☐ NO8. If required is a consumptive use entered? N/A ☒ YES ☐ NOIs the consumptive use correct? N/A ☒ YES ☐ NO9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo #4. N/A ☒ YES ☐ NO *10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *11. Is (are) the county(ies) entered? ☒ YES ☐ NO12. Is the ownership of p.d. checked? ☒ YES ☐ NO13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) N/A ☒ YES ☐ NO15. Is the basis of the claim indicated? ☒ YES ☐ NO16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO21. If this claim is based on an existing water right, has the
identification number been entered? N/A ☒ YES ☐ NO22. Should this claim be data entered? ☒ YES ☐ NOClaim checked by: RMCDate: 6/12/90Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: _____

Claim data entered by: CRJ

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: split of 67-00544MICROFILMED
OCT 01 1992

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-544D V1

WATER RIGHT NUMBER: 67-544D V1

Owner Type
Current Owner
Name and Address
JAMES A BROWN
1655 DEER CREEK RD
WEISER, ID 83672
(208) 549-2585

Priority Date: 03/15/1894

Basis:

Status:

Source
MANN CREEK

Beneficial Use
IRRIGATION

From 03/01 to 11/15
To

Total Diversion:

Diversion Rate 1,460 CFS
Annual Volume 1,460 CFS

Tributary
WEISER RIVER

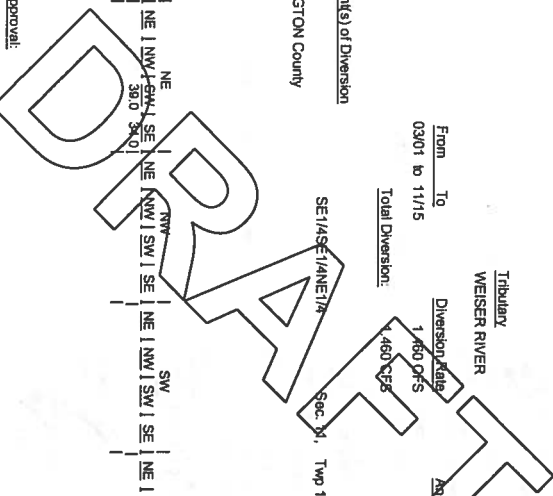
Location of Point(s) of Diversion
MANN CREEK
WASHINGTON County

SE 1/4 SE 1/4 NE 1/4

Sec. 30, Twp 12N, Rge 05W, B.M.

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SE	SW	Total
12N	05W	12	NE 1/4 NW 1/4 SW 1/4	NE 1/4 NW 1/4 SW 1/4	NE 1/4 NW 1/4 SW 1/4	NE 1/4 NW 1/4 SW 1/4	73.0
Total Acres: 73							



Conditions of Approval:

Remarks:

Comments:

1. segbert 6/8/2004 Priority Date
Comment: The day is 3-15 instead of the usual 6-1

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-544D V1

Decreed Date:
Engagement Use Priority Date:
Engagement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connection:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carry Act Number:
Mitigation Plan: False
Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer
Priority Date	6/8/2004 9:03:47 AM	segbert
Source	6/8/2004 9:04:53 AM	segbert
POU	6/8/2004 9:05:07 AM	segbert
Use	6/8/2004 9:13:16 AM	segbert
Season	6/8/2004 9:14:03 AM	segbert
Quantity	6/8/2004 9:14:37 AM	segbert

Verification Log:

Element	Date Time Stamp	Reviewer
Use	6/8/2004 9:13:17 AM	segbert

Last Verified Date Verifier Status

Log text

(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?

RECEIPT IS FROM THE STATE FILE
SD-01 IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT ENTRY SCREEN

DATE 08/21/90
TIME 14:24:16

REC/NO - C012466 AR/NO -
FROM: - BROWN, JAMES OR MILDRED

RECEIPT TYPE - CK DOC/NO - 3578
REMARKS -

TYPE OF PAYMENT
ADJUDICATION FEE

PROGRAM ACCT CLASS FEE
410162 9337 6490 174.40

TOTAL DUE - 174.40

WR/NO
A6711646

WR FEE
25.00

WR/NO

WR FEE

25.00

WR/NO

A6700544D

WR FEE

124.40

(ENTER=INQUIRE)
(GOLD6=2ND/COPY REC)

(GOLD1=ADD/PRINT REC)
(GOLD7=LASER/COPY REC)

(GOLD2=CHANGE)

(GOLD3=VOID)
(MENU _____)

MICROFILMED
OCT 01 1992

Actually is a 1.40.
overpayment - orig.
claim showed 74.4
acres, amended to
73 acres - claimant
did not want 1.40
refund. *JP* 8/21/90
On this date I AR9'd
this receipt because
all of fee was under A67-11646
Other claim is an in-
stream stockwater. (25)

SCANNED
APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

June 28, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Mr. James A. Brown
1655 Deer Creek Rd.
Weiser, ID. 83672

Re: Snake River Basin Adjudication - Washington County

Dear Mr. Brown:

We are returning your Notice of Claim to a Water Right filed for your property in Washington County. We are also enclosing Receipt #C012466 in the amount of \$174.40, for the filing fees. We have noted some problems with your claim which we would like you to correct.

A critical item of the water right, the month and day, on your date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use to the best of your knowledge. If you do not complete a month and day, we will enter it into the computer as December 31, 1884.

At Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.5 acre feet per annum. You are claiming one acre of irrigated land, therefore your consumptive use would be 260 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

In addition, at Item #10, you neglected to indicate the number of acres irrigated in each 40-acre parcel. This should be your best estimate, combining for the total of 74.4 acres. Also, please outline your irrigated acres on the enclosed aerial photograph.

Please return the documents to this office. If you will make these corrections before July 30, 1990, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:RMC/lk

Enclosures:

Notice of Claim

Receipt #C012466

Photocopy-Orthoquad Map

MICROFILMED
OCT 01 1992