

01/18/2008

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

RIGHT NUMBER: 67-563

NAME AND ADDRESS: ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.530 CFS
141.80 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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.

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.

PRIORITY DATE: 04/01/1883

This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

POINT OF
DIVERSION:

T11N R04W S18 SWSESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.530 CFS 141.80 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S18	SESE	31.50
31.5 ACRES TOTAL		

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right 67-563 is identified as a secondary right authorizing the diversion of 0.76 cfs during flood water periods and 0.53 cfs during low water periods.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 10, 2008

ED BARTOSCHEK
11975 W 9TH ST

WEISER ID 83672-2638

wrong

1975 W. 9th St

RECEIVED

JAN 18 2008

DEPARTMENT OF
WATER RESOURCES

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-563, Water Right 67-7749
and Decree 67-11571

Dear Claimant:

Record updated, NCAP prepared,
cy to W.A. 1-18-08, M

The Postal Service advised us your address has changed to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 31, 2008. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

SCANNED

JAN 18 2008

Water Right Holder's Signature

Telephone Number

Ed Bartoschek

208 549 1053

1975 W. 9th St

Ed Bartoschek

Weiser Idaho 83672

RECEIVED
NOV 27 2006
DEPARTMENT OF
WATER RESOURCES

67-563

67-11571-PO

67-7749-WR

U.S. POSTAL SERVICE
FORM 3547



FIRST CLASS

fee due 75 ¢

U.S.P.S. Form 3547

RETURN TO SENDER

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

ADDRESS SERVICE
REQUESTED

BART975 836722015 1206 13 11/20/06
BARTOSCHEK
1975 W 9TH ST
WEISER ID 83672-2638
FORM 3547

ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672

U.S. POSTAL SERVICE
FORM 3547

fee due 75 ¢

U.S.P.S. Form 3547

RETURN TO SENDER

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Dept. of Water Resources
Adjudication Bureau
P. O. Box 88720
Boise, ID 83720-0088

SCANNED
JAN 18 2008

RECEIVED

11/14/2006 DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-563

ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672
Telephone Number: (208)549-1053

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation, no changes need to be made.

DATE: 12-3-06

SIGNATURE: Ed Bartoschek

Please print your name: Ed + Joera Bartoschek Trust

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC - 6 2006

11/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-563

NAME AND ADDRESS: ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.530 CFS
141.80 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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.

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.

PRIORITY DATE: 04/01/1883

This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

POINT OF DIVERSION:

T11N R04W S18 SWSESE Within WASHINGTON County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.530 CFS 141.80 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S18 SESE 31.50
31.5 ACRES TOTAL

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right 67-563 is identified as a secondary right authorizing the diversion of 0.76 cfs during flood water periods and 0.53 cfs during low water periods.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-563 V1

WATER RIGHT NUMBER: 67-563 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ED BARTOSCHEK 1975 W INDIAN HEAD RD WEISER, ID 83672 (208)549-1053

Priority Date: 04/01/1883

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	0.530 CFS	141.80 AF
	<u>Total Diversion:</u>	0.530 CFS	141.80 AF

Location of Point(s) of Diversion

MANN CREEK	SW1/4SE1/4SE1/4	Sec. 18, Twp 11N, Rge 04W, 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	
11N	04W	18																	31.5
																			31.5

Total Acres: 31.5

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.
2. R43 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.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

SCANNED
APR 06 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-563 V1

Remarks:

1. General Right 67-563 is identified as a secondary right authorizing the diversion of 0.76 cfs during flood water periods and 0.53 cfs during low water periods.

Comments:

1. PSKAGGS 10/18/2001 8:39:43 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 69085

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: 67
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

WATER RIGHT NO. 67-563
As Modified by Transfer No. 69085

In accordance with the approval of Transfer No. 69085, Water Right No. 67-563 is now described as follows.

Right Holder: ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672

Priority Date: 04/01/1883

Source: MANN CREEK

Tributary: WEISER RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.53 CFS	141.8 AF
			0.53 CFS	141.8 AF

LOCATION OF POINT(S) OF DIVERSION:

MANN CREEK SWSESE Sec. 18 Twp 11N Rge 04W 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	
11N 04W 18																31.5	31.5

Total Acres: 31.5

CONDITIONS OF APPROVAL

1. Right 67-563 is identified as a secondary right authorizing the diversion of 0.76 cfs during flood water periods and 0.53 cfs during low water periods.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 67-563
As Modified by Transfer No. 69085

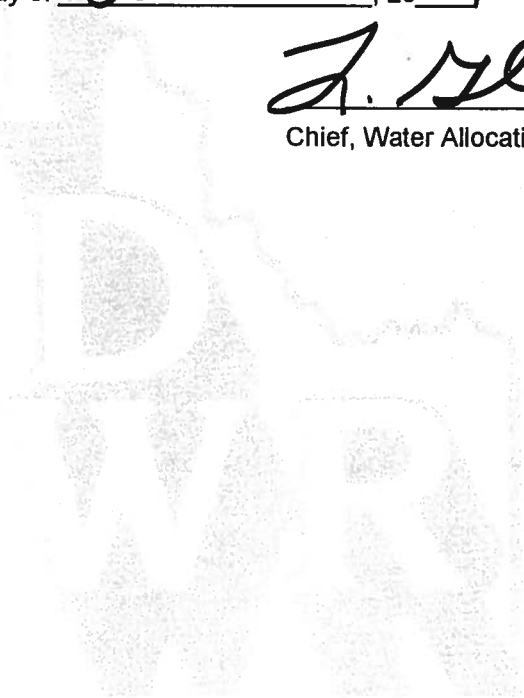
CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69085

Western
RECEIVED
OCT 31 2001
WATER RESOURCES
WESTERN REGION

This is to certify that: ED BARTOSCHEK
1975 W INDIAN HEAD RD
WEISER ID 83672
(208)549-1053

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
67-563	AJC/Decreed	04/01/1883	0.53 cfs		33.0	33.0	MANNS CREEK

Purpose of Transfer (Changes Proposed)

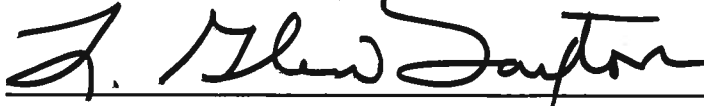
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-563	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-563	67-563	0.53 cfs	141.8 af	31.5	31.5		N/A	N/A	N/A	N/A
TOTALS		0.53 cfs	141.8 af	31.5	31.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau

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: A67-00563
Date Received: 10/13/1989
Receipt No: C012210
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ED BARTOSCHEK 208-549-1053
Address: 1975 W. INDIAN HEAD RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1883

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
11N	04W	18	NE	SE	SE		WASHINGTON

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.530		

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

8. Total consumptive use is 115.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	04W	18	SE	SE		IRR	33.0

Section Acres 33.0

Total Acres 33.0

A67-00563

Page 1

Date: 06/29/90

MICROFILMED
OCT 01 1992

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:
NONE

14. Remarks:

WATER CARRIED IN THE BRADSHAW-PAYNE-LYNCH DITCH.
THIS IS A SECONDARY RIGHT.
FLOOD WATER .76 CFS.
LOW WATER .532 CFS.
AC. IRR.=38.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS 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)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 67-00563
Date Received 0013210
Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 13 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Ed Bastoschek Phone (549) 1053

Mailing Address 1975 W. Indian Head Rd. Zip 83672

2. Date of Priority (Only one (1) per claim) 4/1/1983

3. Source of water supply (a) Manns Creek
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11N Range 4W Section 18
NE 1/4 of SE 1/4 of SE 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. Head gate & laterals

MICROFILMED

OCT 01 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irr purposes from 4/1 to 10/31 amount 0.53 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.53 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 115 acre feet per annum.

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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>11N</u>	<u>4W</u>	<u>18</u>																<u>33</u>	<u>33</u>

Total number of acres irrigated 33

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 ☒ 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. _____ or None (☒)

14. Remarks:

Last Name _____ Ident No. 67-00563

MICROFILMED
Copies: White -State, Yellow-Claimant
OCT 01 1992

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

Scale: 2 inches equals 1 mile

Last Name

Ident No.

67-00563

Copies: White State, Yellow-Clabman

MICROFILMED

OCT 24 1955

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☒
If applicable provide IDWR Water Right Number 67-00563
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 2

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

Signature of Claimant (s) X Ed Bartoschek Date 1-10-11-89

_____ 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 _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 11 day of Oct 1989

SEAL

Notary Public Bruce A. Schild

Residing at BRUCE A. SCHILD, NOTARY PUBLIC

RESIDING AT BOISE, IDAHO

My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995

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 _____

MICROFILMED
Copies: White - State, Yellow - Claimant

OCT 01 1992

Water Right Number - 67-00563 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - + + First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SIPE
M. L.
1 -
2 -
3 -
City-
Phone -
State- Zip-
+ - - - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1883 14 D - DECREED

+ - - - - Source - - - - - +
MANNS CREEK
+ - - - - - - - - - - - Tributary - - - - - WEISER RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)
Twn Rng Sec Tract Lot RFlg County

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To
01 - IRRIGATION 0.530

+ - - - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.530

+ - - - - - - - - - - - Place of Use - - - - - Description
Twn Rng Sec Tract Lot Acres Code
11N 04W 18 SE SE 01 IRRIGATION 87 WASHINGTON

Total Acres:

+ - - - - Diversion Means -
+ - - - - Non-Irrigation Use -
+ - - - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - -
WATER CARRIED IN THE BRADSHAW-PAYNE-LYNCH DITCH.
THIS IS A SECONDARY RIGHT.
FLOOD WATER .76 CFS.
LOW WATER .532 CFS.
AC. IRR.=38.

+ - - - - - - - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - - - Decree Date - +

[illegible]

| | | | | | |
|------------------|--------------|-----------------|--------------|------------------|------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 06/03/1985 | DLE/Caray Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 67 |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 06/03/1921 | | | | |

MICROFILMED
OCT 01 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Bartoschuk

CLAIM IDENT. NO.

A67-00563

DATE RECEIVED

10/13/89

CK #

CO12210

AMOUNT \$

None

YES

NO

Require
Info?

1. Is the name and address complete with zip code? ✓ None ✓ *
2. Is a priority date entered? ✓ *
- Is the priority date acceptable in view of mandatory filing dates? ✓ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ✓ *
3. (a) Is a source entered? ✓ *
- (b) Is a tributary to entered? (if required) Weiser River N/A ✓
4. Is the legal description of the p.d. sufficient? ✓ *
5. Is there a description of the diverting works? ✓
6. 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. ✓ *
- Is the period of use included? ✓
- Is a quantity claimed for each use? ✓ *
7. Is a total quantity claimed entered? ✓
8. If required is a consumptive use entered? ✓ N/A
- Is the consumptive use correct? 1155 N/A ✓
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ✓ N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ *
11. Is (are) the county(ies) entered? ✓
12. Is the ownership of p.u. checked? ✓
13. Are other water rights listed or "none" indicated? ✓
14. 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
15. Is the basis of the claim indicated? ✓
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ✓ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ *
18. Has the claim been signed, sealed, and dated by a notary? ✓ *
19. Was this claim filed on time, or was an extension granted? ✓ *
20. Is the fee enclosed correct? ✓ Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ✓ N/A
22. Should this claim be data entered? ✓

Claim checked by:

RMF

Date:

5/17/90

Claim must be returned to claimant:

(Yes) ✓ (No)

Claimant must be notified of modifications:

(Yes) ✓ (No)

Receipt Prepared by:
Claim data entered by:
Sent to claimant by:

MDS

Date:

6/29/90

Date:

Checked by:

B

Date:

7/27/90

Comments:

MICROFILMED

OCT 01 1992



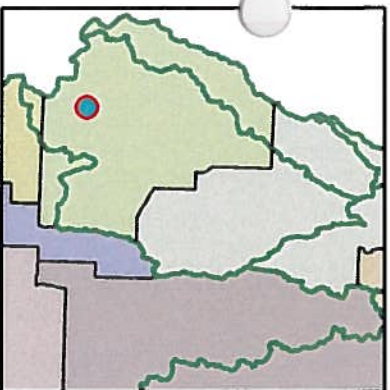
Idaho Department of Water Resources

Adjudication Claim:

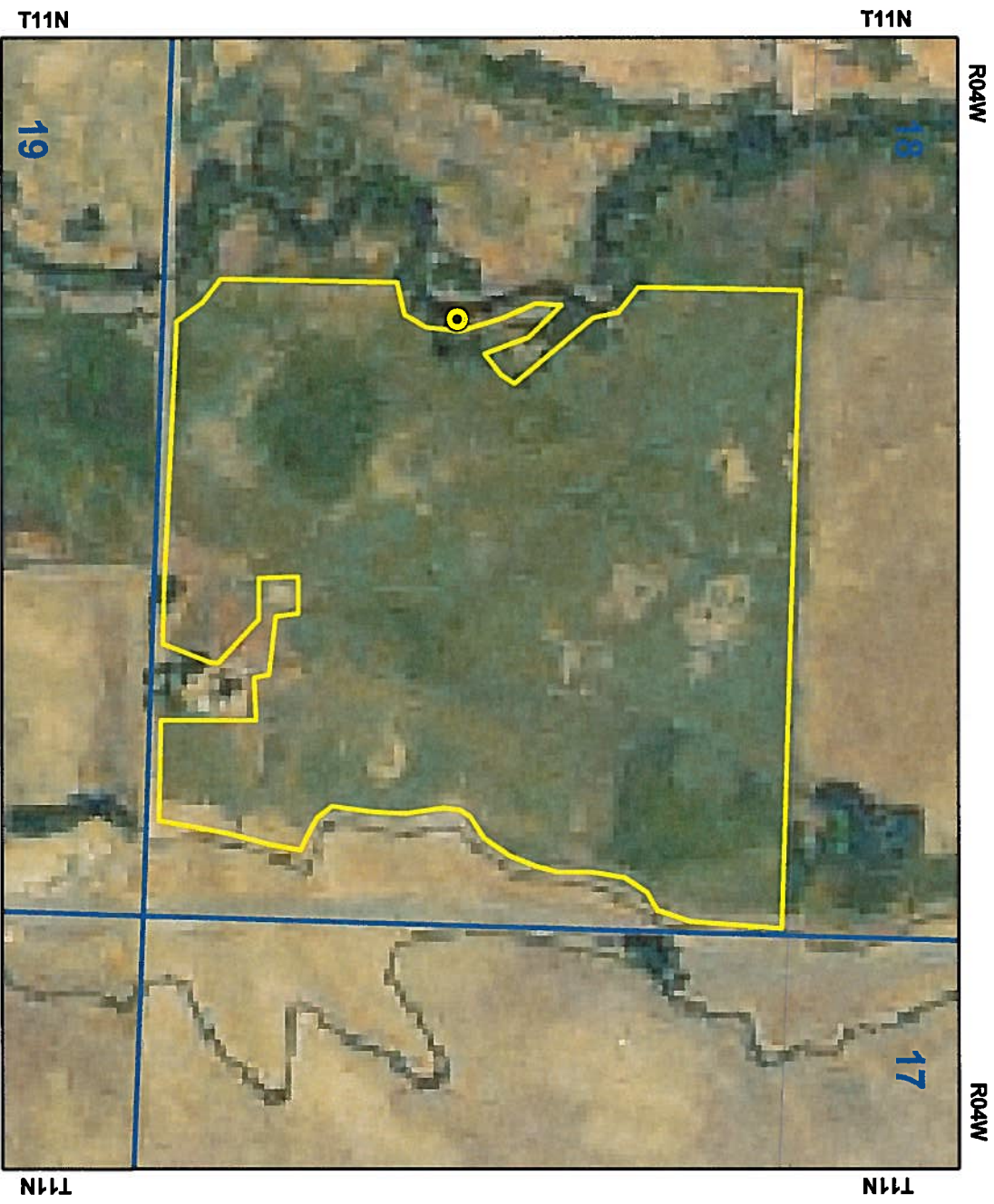
67-563

Legend

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



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Tuesday, February 7, 2006
1987/88 Aerial Photography



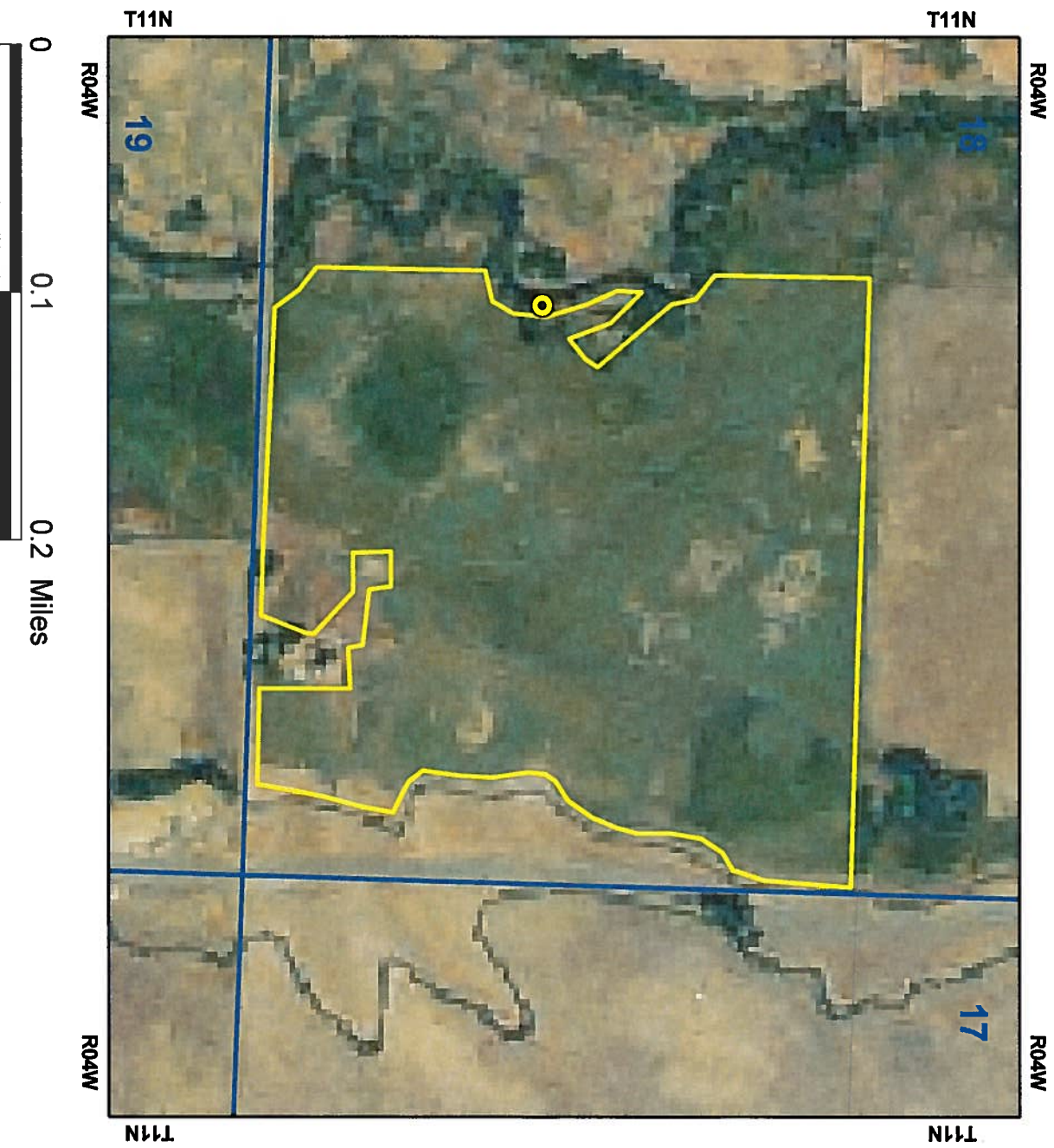
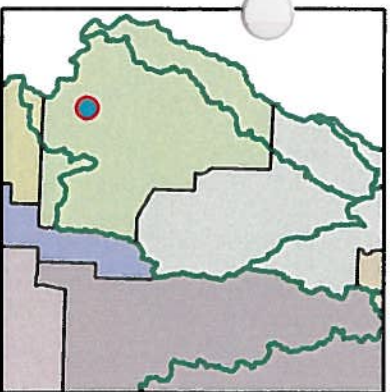
Idaho Department of Water Resources

Adjudication Claim:

67-563

Legend

-  Point of Diversion
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