



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICIA M ECKER
970 MANN CREEK ROAD
WEISER ID 83672

Re: Original Notice of Claim to a Water Right No. A67-00574

Renumbered to Notice of Claim to a Water Right No. A67-00574A

Dear Ms. Ecker:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosure



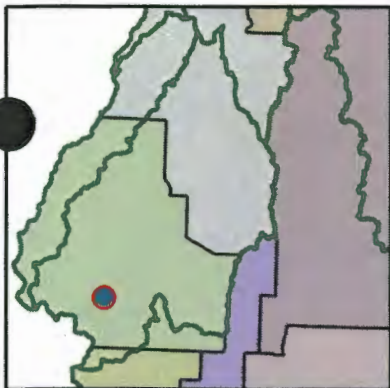
Idaho Department of Water Resources

Adjudication Claim:

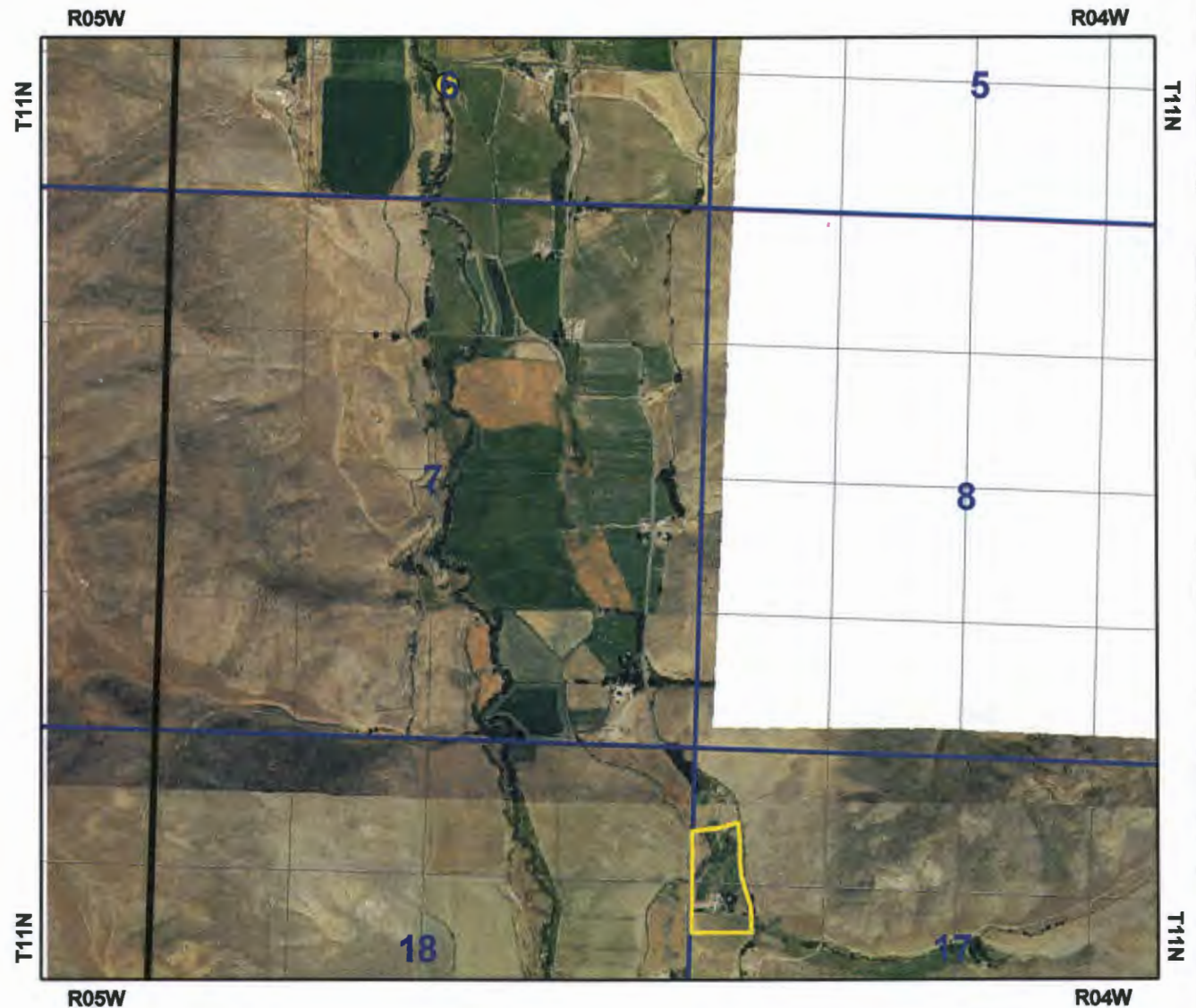
67-574A

Legend

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



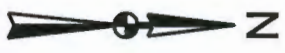
Washington County
IDWR Basin 67



0 0.7 1.4 Miles

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

67-574A



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: **A67-00574A**
Date Received: 9/17/1996
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PATRICIA M ECKER 208-549-2044
Address: 970 MANN CREEK ROAD
WEISER ID 83672

2. Date of Priority: APR 1, 1886

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
11N	04W	6		SW	SE		WASHINGTON

5. Description of diverting works:
WOODEN BOARD DIVERSION STRUCTURE, HEADGATE & IRRIGATION DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.150		
STOCKWATER	01/01	12/31	0.035		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 140 HEAD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	17	NW	NW		IRR	9.0
Section Acres							9.0

10. Place of Use: Continued

Total Acres 9.0

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 IRRIGATION DISTRICT.

14. Remarks:
.30 CFS FLOODWATER IS A SECONDARY RIGHT WHICH IS CARRIED IN THE
LUND DITCH.
THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP FOR A PORTION OF
CLAIM A67-00574, FEE PAID UNDER W021503. 1/16/1997 MTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.
Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.
vs Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 07 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page. WATER RESOURCES
WESTERN REGION
Incomplete forms will be returned.

1. Water Right Number(s) _____

Adjudication Claim Number(s) A67-00574

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) PATRICIA MARIE ECKER

970 MANN CR. RD, WEISER, IDAHO 83672

4. New Owner/Claimant(s) RICHARD R AND JOYCE A. KNAUER

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address P.O. BOX 389 (PLACE OF USE ADDRESS: WEISER, ID 83672)

City, State and ZIP Code WEISER, IDAHO

New Telephone Number (208) 549-3607

5. Date you acquired the property 9-15-96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 4.0 Number and type of stock 60 HEAD OF CATTLE

Diversion rate in CFS .065 Number of homes 1 Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s)

Richard R. Knauer

Date 12-30-96

Joyce A. Knauer

Date 12-30-96

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



RECEIVED
JAN 07 1997
WATER RESOURCES
WESTERN REGION

SEPTEMBER 13, 1996

LEGAL DESCRIPTION

All of those certain parcels of real property situate in Sections 8 and 17, T11N, R4W, B.M. being more particularly described as follows:

PARCEL 1

The South Half of the Southwest Quarter of said Section 8.

PARCEL 2

BEGINNING at the Northwest Corner of said Section 17,

THENCE; along the northerly line of said Section 17, S89°12'04"E, 40.00 feet,

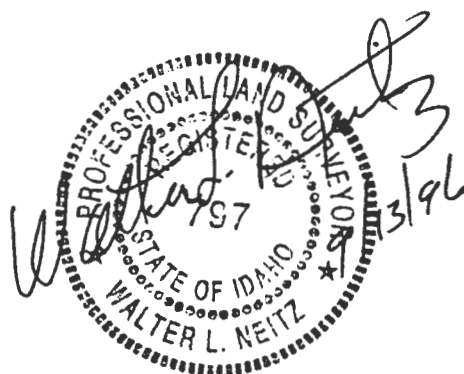
THENCE; S42°49'52"E, 894.21 feet,

THENCE; S71°45'30"W, 406.67 feet,

THENCE; S83°20'38"W, 263.46 feet, to a point on the westerly line of said Section 17,

THENCE; along said westerly line, N0°00'00"E, 814.17 feet, to the Point of Beginning.

The above described Parcel 2 contains 6.599 acres, more or less, and is subject to roadway and irrigation ditch easements.



RECEIVED
JAN 07 1997
WATER RESOURCES
WESTERN REGION

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Amerson* SECRETARY

BY *Clarence R. Hatt* COUNTERSIGNED

Gilbert (11010)
Idaho Homes & Land

SCHEDULE A

1. Commitment Date: September 16, 1996, at 8:00 am Commitment No: T96270

2. Policy or Policies to be issued: Policy Amount

(A) Owner Policy Form No. 1402.92 (10/17/92) \$90,000.00
Proposed Insured: RICHARD R. KNAUER and JOYCE A.
KNAUER, husband and wife
Premium \$ 550.00

(B) Loan Policy Form No. 1056.92 (10/17/92)
Proposed Insured:

3. FEE SIMPLE Interest in the land described in this Commitment is owned, at the Commitment Date, by PATRICIA MARIE ECKER, a single person.

4. The land referred to in this Commitment is described as follows.

IN WASHINGTON COUNTY, IDAHO

IN TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

PARCEL 1

Section 8: The South Half of the Southwest Quarter;

PARCEL 2

Section 17: BEGINNING at the Northwest corner of said Section 17;
THENCE along the northerly line of said Section 17, S 89° 12' 04" E, 40.00 feet;
THENCE S 42° 49' 52" E, 894.21 feet;
THENCE S 71° 45' 30" W, 406.67 feet;
THENCE S 83° 20' 38" W, 263.46 feet, to a point on the westerly line of said Section 17;
THENCE along said westerly line, N 0° 00' 00" E, 814.17 feet to the Point of Beginning.
SUBJECT TO roadway and irrigation ditch easements.

Commitment No. T96270

SCHEDULE B - Section 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in the Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) Release(s) or Reconveyance(s) of Items(s) _____
- (f) Other
- (g) You must give us the following information:
 - 1. Any off record leases, surveys, etc.
 - 2. Statement(s) of identity, all parties.
 - 3. Other

Commitment No. T96270 SCHEDULE B - Section 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records by which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes for 1996 are an accruing lien but not yet due or payable.
8. Liens, levies and assessments of Mann Creek Irrigation District and the rights, powers and easements of said District. 1996 assessment an accruing lien but not yet payable.
9. Rights of way for irrigation or drainage ditches, canals or roads.

NOTE: PURSUANT TO THE STATE OF IDAHO INSURANCE REGULATIONS, A CANCELLATION FEE IS TO BE CHARGED ON ALL CANCELLED ORDERS. UNLESS OTHERWISE ADVISED, ORDERS WILL BE CONSIDERED CANCELLED SIX MONTHS AFTER THE EFFECTIVE DATE ON THE COMMITMENT. THE AMOUNT OF THE FEE ASSESSED SHALL BE IN ACCORDANCE WITH OUR RATE FILING WITH THE IDAHO DEPARTMENT OF INSURANCE.

NOTE: Property Tax No. RP 11NO4W086000 (80 acres). 1995 taxes levied in the amount of \$30.76. From RP11NO4W172400 (additional 6.6 acres) 1995 estimate \$45.00.

J-18

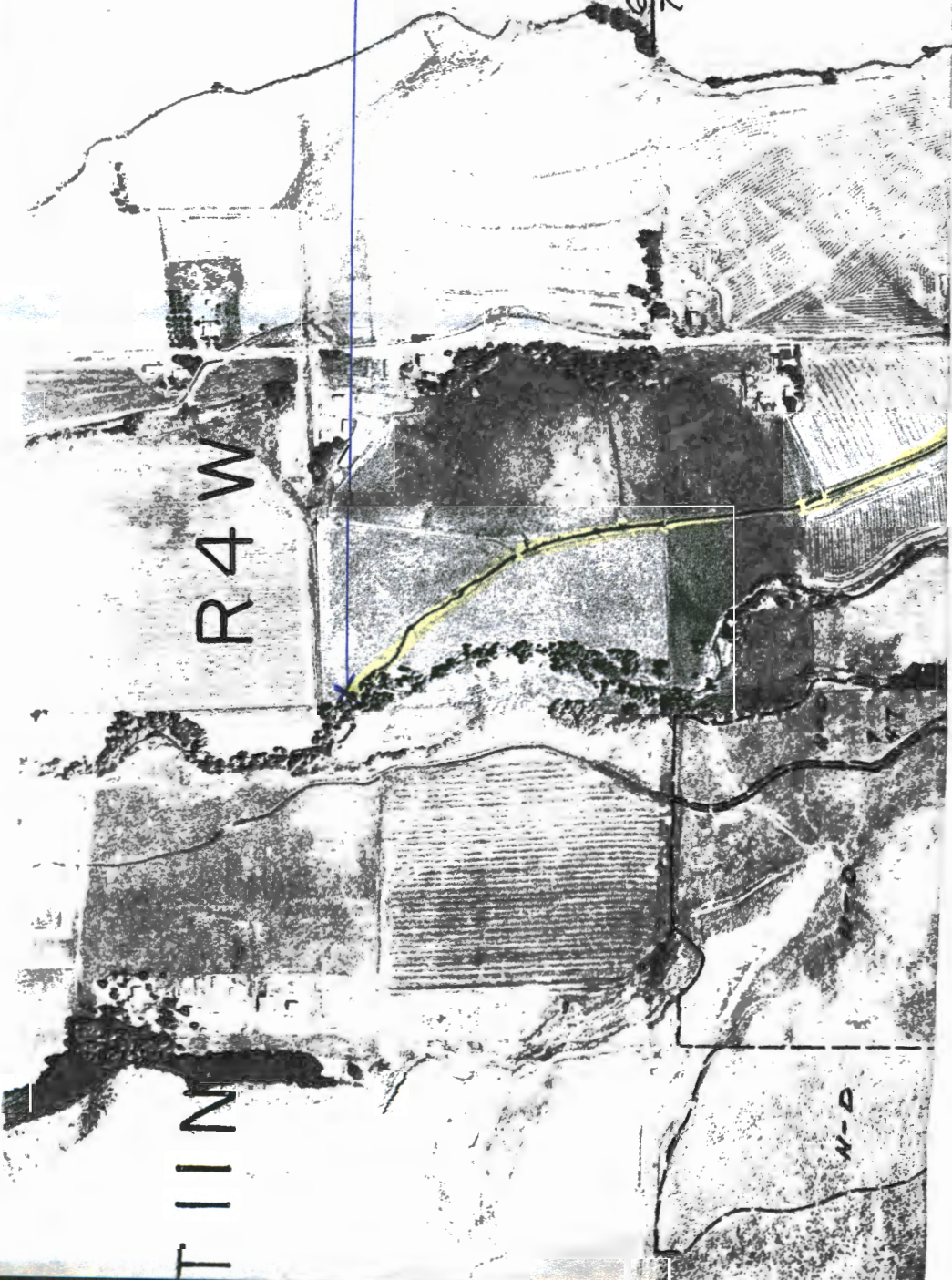
SAME POINT OF DIVERSION

65
78

R4W

T11N

N-D



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: **A67-00574**

Date Received: 9/17/1996

Receipt No: W021503

Received By: [Signature]

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: PATRICIA M ECKER 208-549-2044
Address: 970 MANN CREEK ROAD
WEISER ID 83672

2. Date of Priority: APR 1, 1886

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
11N	04W	6	SW	SE			WASHINGTON

5. Description of diverting works:
WOODEN BOARD DIVERSION STRUCTURE, HEADGATE & IRRIGATION DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.210		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 200 HEAD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	17	NW	NW		IRR	13.0

Section Acres 13.0

~~MICROFILMED~~
OCT 27 1996

10. Place of Use: Continued

Total Acres 13.0

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 IRRIGATION DISTRICT.

14. Remarks:
.3 CFS FLOODWATER IS A SECONDARY RIGHT WHICH IS CARRIED IN THE
LUND DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.

Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.

vs

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: _____

MICROFILMED
OCT 22 1996

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 _____

~~NOTARY PUBLIC~~
OCT 22 1996

SEP 17 1996

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A67-00574

9-17-96

W021503

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Patricia M. Ecker Phone (208) 549-2044Mailing Address 970 Mann Creek Road Weiser, Idaho Zip 836722. Date of Priority (Only one (1) per claim) 04/01/18863. Source of water supply (a) Mann Creek
which is tributary to (b) Weiser River4. a. Location of existing point of diversion is: Township 11N Range 4W Section 06,
1/4 of SW 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. Wooden Board Diversion Structure and
Headgate and Irrigation Ditch.

RECEIVED

OCT 22 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04/15 to 10/15 amount .21 or _____

For Stockwater purposes from 01/01 to 12/31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .21 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .21 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater for 200 head

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	
11 N	4 W	17					13												13

Total number of acres irrigated 13

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.
Mann Creek Irrigation District or None ()

14. Remarks: .3 cfs Floodwater is a Secondary Right which is carried in the
Lund Ditch.

~~RECORDED~~
OCT 22 1990

Last Name _____ Ident No. _____

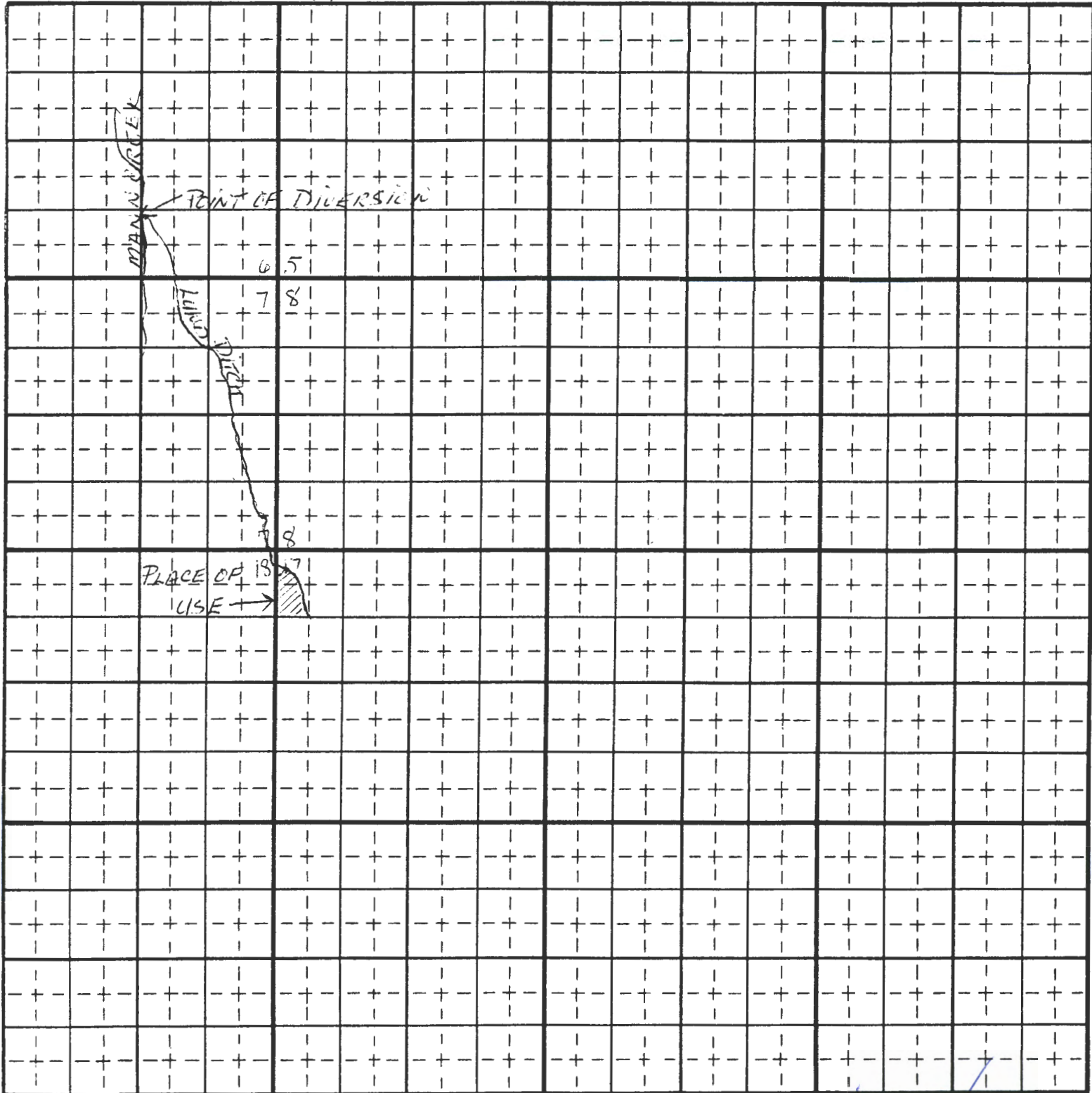
Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



T11N R4W



~~MICROFILMED~~
OCT 22 1996

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 67-00574
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 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) Patricia M. Ecker

Date Sept 16 1996

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 16th day of SEPTEMBER 19 96

SEAL

Notary Public Clarene R. Stark

Residing at Wenatchee

My Commission Expires 9/3/99

Please Print Name

17. Notice of Appearance:

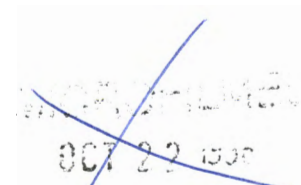
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



Copies White-State, Yellow-Claimant

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/17/96 14:44:10
Page 1

Water Right Number - 67-00574

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GOLDSMITH

CORA

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1886 14 WESTERN D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.210

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.210

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11N 04W 17 NW NW 01 IRRIGATION 87 WASHINGTON
11N 04W 17 SW NW 01 IRRIGATION 87 WASHINGTON
11N 04W 17 SE NW 01 IRRIGATION 87 WASHINGTON

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
THIS IS A SECONDARY RIGHT.
WATER CARRIED IN THE LUND DITCH.
FLOODWATER .3 CFS. AC. IRR.=33.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
E. V. JEFFERSON ET. AL. THOMAS HIGGENBOTHAM ET. AL. 06/03/1921

OCT 22 1996

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/17/96 14:44:10
Page 2

Water right number - 67-00574

Prefix Translation: WATER RIGHT

[illegible]

+ - - Audit Fields - 04/23/85 05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

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
Exam to S.O. Date	- 00/00/0000	Verified Date	- 04/23/1985	DLE/Carey 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	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

~~00000000~~

11/14/2006

RECEIVED

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: 67-574A

PATRICIA M ECKER
970 MANN CREEK RD
WEISER ID 83672
Telephone Number: (208)549-2044

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12-3-06

SIGNATURE:

Patricia Ecker

Please print your name:

Patricia Ecker

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

SCANNED

DEC - 6 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-574A V1

WATER RIGHT NUMBER: 67-574A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICIA M ECKER 970 MANN CREEK RD WEISER, ID 83672 (208)549-2044
Original Owner	CORA GOLDSMITH , ZZ

Priority Date: 04/01/1886

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>
STOCKWATER	01/01 to 12/31	0.035 CFS	
IRRIGATION	03/01 to 11/15	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of Diversion

MANN CREEK	SW1/4SE1/4	Sec. 6, 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	17							9.0										9.0

Total Acres: 9

STOCKWATER same as IRRIGATIONConditions of Approval:

1. 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.
2. 168 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 to all Primary Rights on Mann Creek.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-574A 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.

Remarks:Comments:

1. mcase 6/2/2004 POD

Comment: Updated shape

2. mcase 6/2/2004 POU

Comment: Updated Shape

3. mcase 6/2/2004 Quantity

Comment: Could not determine flow or annual diversion because of split. Total flow of two split claims exceeds total decreed flow.

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:

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	6/2/2004 1:11:30 PM	mcase			Active
POD	6/2/2004 1:13:55 PM	mcase			Active
Source	6/2/2004 1:14:03 PM	mcase			Active
POU	6/2/2004 1:20:51 PM	mcase			Active
Use	6/2/2004 1:20:59 PM	mcase			Active
Season	6/2/2004 1:22:30 PM	mcase			Active
Quantity	6/2/2004 1:23:54 PM	mcase			Active
Priority Date	12/1/2005 3:09:32 PM	dnarsavage			Active
POD	12/1/2005 3:10:07 PM	dnarsavage			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-574A V1

Source	12/1/2005 3:10:40 PM	dnarsavage	Active
POU	12/1/2005 3:10:56 PM	dnarsavage	Active
Season	12/1/2005 3:21:24 PM	dnarsavage	Active
Quantity	12/1/2005 3:25:44 PM	dnarsavage	Active
Summary		12/01/2005 dnarsavage	Active
Use	12/1/2005 3:29:58 PM	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/6/2005 9:59:53 AM	dnarsavage	Updated shape for Active POU
POD	12/1/2005 3:10:08 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? (No) 10. Is a POD remark and/or condition required?
Source	12/1/2005 3:10:40 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	12/1/2005 3:09:32 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?
POU	12/1/2005 3:10:56 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?
POU	12/1/2005 3:19:45 PM	dnarsavage	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-574A V1

Season	12/1/2005 3:21:24 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?
Use	12/1/2005 3:29:58 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?
POU	12/1/2005 3:20:08 PM	dnarsavage	Edited Season Of Use
Quantity	12/1/2005 3:25:45 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?
Summary	12/1/2005 3:29:43 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? (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? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-574A V1

POU	6/2/2004 1:20:52 PM	mcase	(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	6/2/2004 1:21:00 PM	mcase	(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	6/2/2004 1:22:30 PM	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?
Priority Date	6/2/2004 1:11:30 PM	mcase	(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?
POD	6/2/2004 1:13:55 PM	mcase	(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?
Source	6/2/2004 1:14:03 PM	mcase	(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?
Quantity	6/2/2004 1:23:55 PM	mcase	(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?



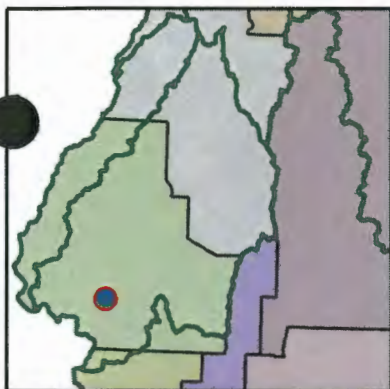
Idaho Department of Water Resources

Adjudication Claim:

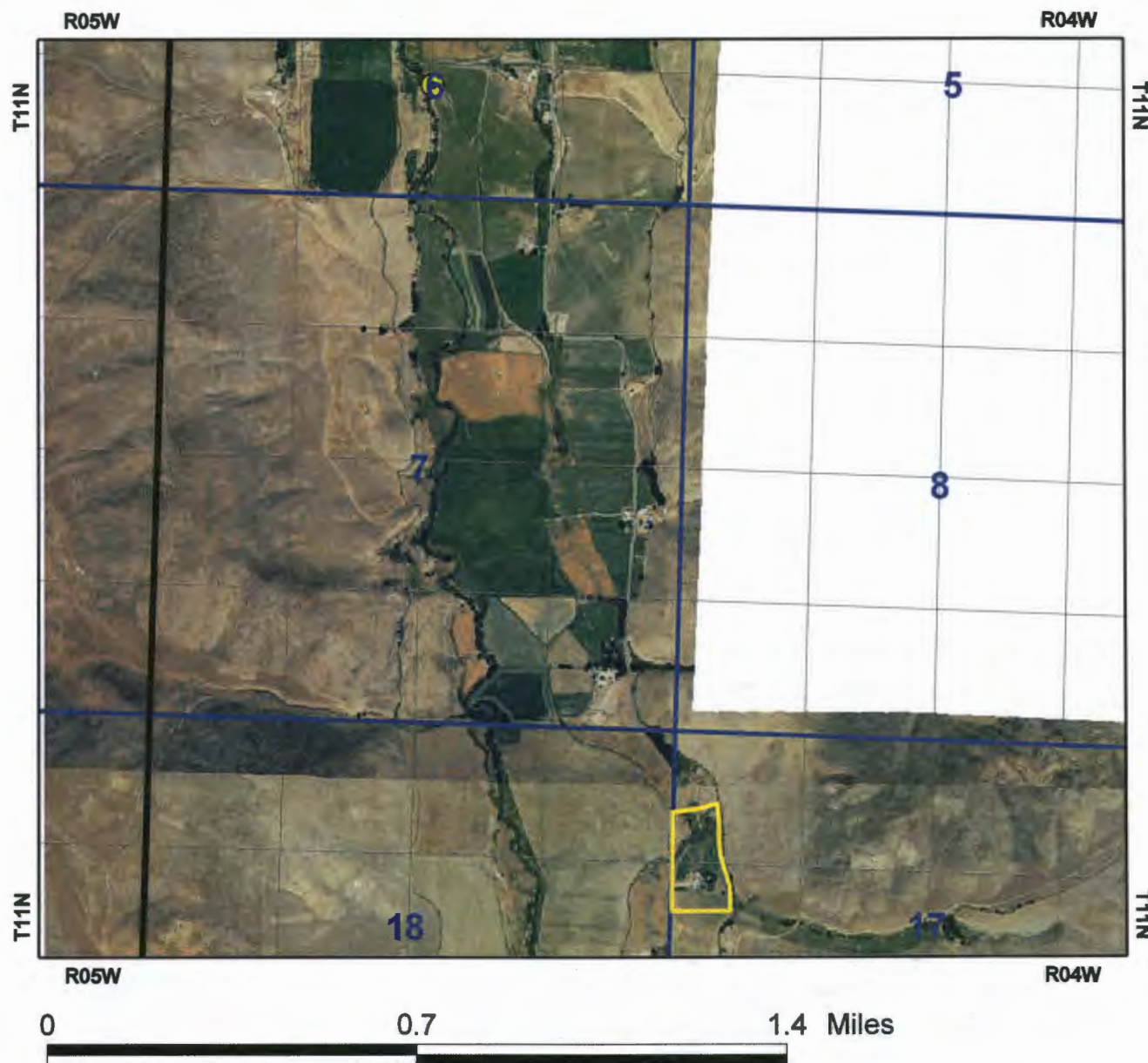
67-574A

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

67-574A



18

17