

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: A67-00577A
Date Received: 10/18/1989
Receipt No: W006358
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAN RADCLIFFE 208-549-3392
Address: 1342 HOOVER RD
WEISER ID 83672

OR

Name: KRYSTINA RADCLIFFE 208-549-3392
Address: 1342 HOOVER RD
WEISER ID 83672

2. Date of Priority: APR 1, 1886

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

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION THRU LOLLEY DITCH W/HEADGATES, DITCHES, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

SCANNED
APR 06 2004

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	25	NE	SW		IRR	12.0
Section Acres							12.0
Total Acres							12.0

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:

CLAIM NO. A67-00546B, NEW WELL PERMIT(SUPPLEMENTAL).

14. Remarks:

THIS IS A SECONDARY RIGHT.

WATER CARRIED IN THE LOLLEY DITCH.

NOTE: THIS CLAIM IS BEING SPLIT - 1ST SPLIT 9-26-89 FOR A67-00577A FOR 6" ALONG WITH CLAIM NO. A67-00546B FOR 6" TO TOTAL 12" FOR BOTH FOR 12 ACRES OF IRRIGATION. THERE IS ANOTHER SPLIT WHICH HAS NOT BEEN FILED UNDER THIS NUMBER - A67-00546A IS A SPLIT OF BOTH 67-00546 & 67-00577 FILED UNDER 67-00546A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.

Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.

vs Decree Defendant

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: A67-00577A
Date Received: 9/26/1989
Receipt No: W006388
Received By: _____

RECEIVED
OCT 18 1989

Department of Water Resources
Western Regional Office

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

1. Name: DAN RADCLIFFE 208-549-3392
Address: 1342 HOOVER RD.
WEISER, ID 83672
OR
Name: KRYSTINA RADCLIFFE 208-549-3392
Address: 1342 HOOVER RD.
WEISER, ID 83672
2. Date of Priority: APR 01, 1886
3. Source: MANNS CREEK Trib. to: WEISER RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	12	SW	SE			WASHINGTON
5. Description of diverting works:
DIVERSION THRU LOLLEY DITCH W/HEADGATES, DITCHES, FLOOD IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.

A67-00577A

Page 1

Date: 09/26/89

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	25	NE SW		IRR	12.0
Section Acres						12.0
Total Acres						12.0

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:

CLAIM NO. A67-00546B, NEW WELL PERMIT(SUPPLEMENTAL).

14. Remarks:

THIS IS A SECONDARY RIGHT.

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

Number of attachments: 0

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): Kyptona Rackliffe Date: 9-26-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of September 19 89

Jan Shurt
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94



12/03/2006

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

RIGHT NUMBER: 67-577A

NAME AND ADDRESS: KRYSTINA RADCLIFFE
1342 HOOVER RD
WEISER ID 83672

DAN L RADCLIFFE
1342 HOOVER RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.060 CFS

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.

PRIORITY DATE: 04/01/1886

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:

T12N R05W S12 SWSE 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	0.060 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R05W S25 NESW 9.80

9.8 ACRES TOTAL

Right Nos. 67-546B and 67-577A are limited to the irrigation of a combined total of 9.8 acres in a single irrigation season.

This right is limited to the irrigation of 2.94 acres within the place of use described above in a single irrigation season.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

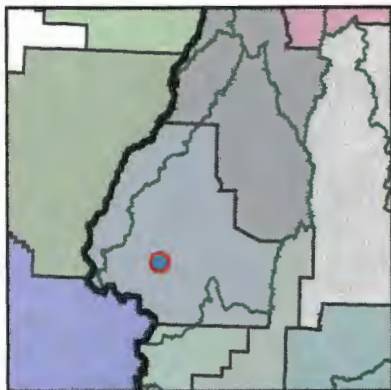
SRBA Recommendation:

67-577A

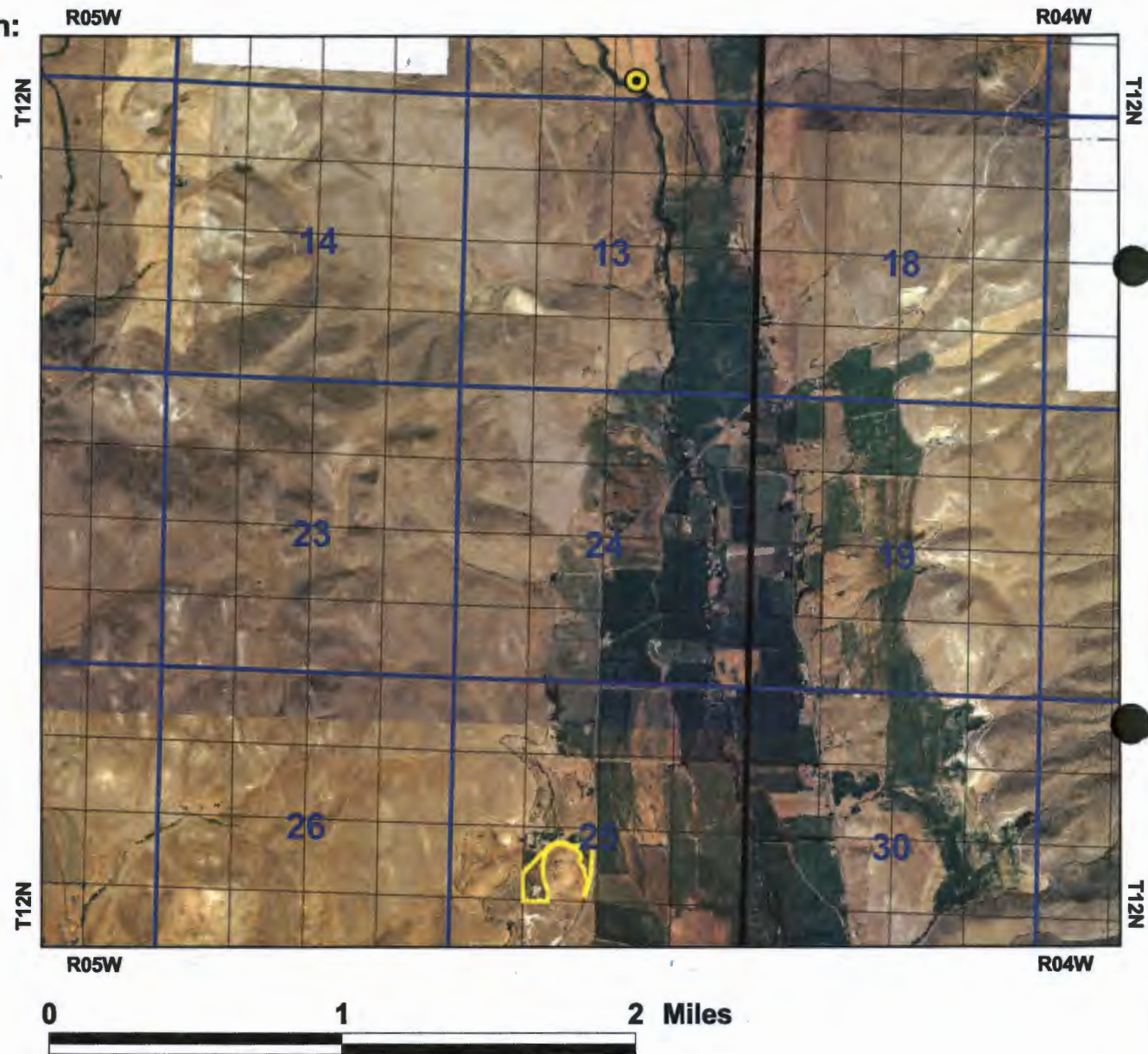
(Irrigation)

Legend

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

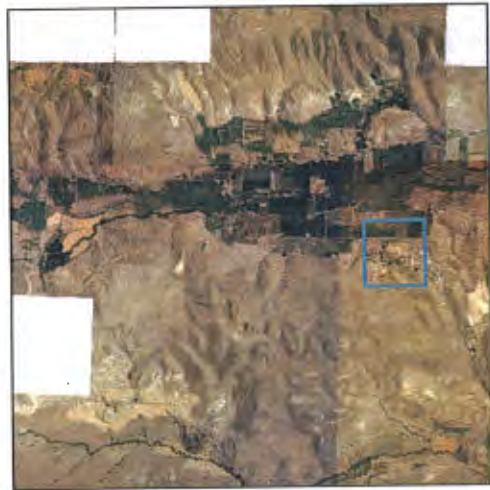


Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Sunday, December 3, 2006
1987/88 Aerial Photography

67-577A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

WATER RIGHT NUMBER: 67-577A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J F LOLLEY
	, ID
Current Owner	KRYSTINA RADCLIFFE
	1342 HOOVER RD
	WEISER, ID 83672
	(208)549-3392
Current Owner	DAN L RADCLIFFE
	1342 HOOVER RD
	WEISER, ID 83672
	(208)549-3392

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>
IRRIGATION	03/01 to 11/15	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

MANN CREEK	SW1/4SE1/4	Sec. 12, 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	25																	9.8

Total Acres: 9.8

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

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. 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 only to all rights identified as Primary Rights on Mann Creek.
4. E55 Right Nos. 67-546B and 67-577A are limited to the irrigation of a combined total of 9.8 acres in a single irrigation season.
5. K06 This right is limited to the irrigation of 2.94 acres within the place of use described above in a single irrigation season.

Remarks:Comments:

1. mcase 6/2/2004 POU
Comment: Updated Shape
2. mcase 6/2/2004 POU
Comment: POU shape generated using taxlot information. Larger than 12 acres claimed.
3. mcase 6/2/2004 Quantity
Comment: Recommended flow and annual diversion could not be determined because of split.
4. mcase 6/4/2004 POD
Comment: Updated shape
5. mvanbussum 12/3/2006 Quantity
Comment: Recommended quantity of 0.06 cfs based on split tree done during change of ownership. 3 acres at 0.02 cfs per acre is 0.06 cfs.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 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 2:00:31 PM	mcase			Active
Source	6/2/2004 2:02:00 PM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

POD	6/2/2004 2:24:48 PM	mcase	Active
POU	6/2/2004 2:24:50 PM	mcase	Active
Use	6/2/2004 2:24:51 PM	mcase	Active
Season	6/2/2004 2:24:52 PM	mcase	Active
Quantity	6/2/2004 2:24:53 PM	mcase	Active
POU	6/2/2004 3:24:19 PM	mcase	Active
Use	6/2/2004 3:25:05 PM	mcase	Active
Season	6/2/2004 3:25:40 PM	mcase	Active
Quantity	6/2/2004 3:26:31 PM	mcase	Active
POD	6/4/2004 9:03:15 AM	mcase	Active
Priority Date	12/3/2006 2:20:22 PM	mvanbussum	Active
POD	12/3/2006 2:32:22 PM	mvanbussum	Active
Source	12/3/2006 2:33:20 PM	mvanbussum	Active
POU	12/3/2006 2:33:31 PM	mvanbussum	Active
Use	12/3/2006 2:36:22 PM	mvanbussum	Active
Season	12/3/2006 2:36:38 PM	mvanbussum	Active
Quantity	12/3/2006 2:37:06 PM	mvanbussum	Active
Summary		12/03/2006 mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/3/2006 2:32:16 PM	mvanbussum	(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	12/3/2006 2:33:13 PM	mvanbussum	(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?
POU	12/3/2006 2:33:24 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

General	12/3/2006 2:20:15 PM	mvanbussum	(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?
Use	12/3/2006 2:36:16 PM	mvanbussum	(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?
Season	12/3/2006 2:36:31 PM	mvanbussum	(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	12/3/2006 2:36:59 PM	mvanbussum	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

Summary	12/3/2006 2:38:41 PM	mvanbussum	(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? (Yes) 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?
POU	12/3/2006 2:35:37 PM	mvanbussum	Updated shape for Active POU
POU	12/3/2006 2:35:47 PM	mvanbussum	Updated PLS for Active POU
POU	8/4/2005 9:52:55 AM	dnarsavage	Updated shape for Active POU
POD	6/4/2004 9:03:16 AM	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?
Priority Date	6/2/2004 2:00:31 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 2:24:49 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
POU	6/2/2004 2:24:50 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Use	6/2/2004 2:24:52 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Season	6/2/2004 2:24:52 PM	mcase	(Yes) 1. Is the basis of claim Decree or License?
Quantity	6/2/2004 2:24:53 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Source	6/2/2004 2:02:00 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-577A V1

POU	6/2/2004 3:24:19 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 3:25:05 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 3:25:40 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?
Quantity	6/2/2004 3:26:31 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?

Water Supply Bank:

Split/Overlap Analysis - Water Right No.: 67-577

[illegible]

67-577 (15.0 ac & 0.30 cfs)	10878 (9.6 ac & 0.19 cfs)
	546A (1.7 ac & 0.03 cfs)
	577B (0.8 ac & 0.02 cfs)
	577A (2.9 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-577	0.3	15	0.020
10878	0.19	9.57	0.020
546A	0.03	1.71	0.020
577B	0.02	0.78	0.020
577A	0.06	2.94	0.020

Split/Overlap Analysis - Water Right No.: 67-577

[illegible]

67-577 (15.0 ac & 0.30 cfs)	10878 (9.6 ac & 0.19 cfs)
	546A (1.7 ac & 0.03 cfs)
	577B (0.8 ac & 0.02 cfs)
	577A (2.9 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-577	0.3	15	0.020
10878	0.19	9.57	0.020
546A	0.03	1.71	0.020
577B	0.02	0.78	0.020
577A	0.06	2.94	0.020