

1447 N.W. 3RD AVENUE
ONTARIO, OREGON 97914

January 23, 2007

RECEIVED

JAN 26 2007

DEPARTMENT OF
WATER RESOURCES

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, Idaho 83720-0098

We no longer have anything to do with these properties.

Kenneth Ebright
Norma J. Ebright

67-580A
67-599
67-606A
67-610A
67-2023

updated address
did NCHP
2-5-07
/s/

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

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

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

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

EBR1827 836722015 1406 13 11/20/06
EBRIGHT 3RD AVE
147 NW OR 97914-2003
ONTARIO

NORMA J EBRIGHT
1827 DEER CREEK RD
KENNETH E EBRIGHT
1827 DEER CREEK RD
WEISER ID 83672

*Records updated
6-5-04 by S. Sherman*

FIRST CLASS



RECEIVED

NOV 27 2006

DEPT. OF
WATER RESOURCES

67-580 A
67-2023
67-4076
67-11452 P.O.

SCANNED
JAN 10 2008

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-580A V1

WATER RIGHT NUMBER: 67-580A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH E EBRIGHT 1827 DEER CREEK RD WEISER, ID 83672 (208)549-3998
Current Owner	NORMA J EBRIGHT 1827 DEER CREEK RD WEISER, ID 83672 (208)549-3998
Original Owner	MABEL JACKSON , ID
Original Owner	RUSS JACKSON , ID

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	0.320 CFS	
	<u>Total Diversion:</u>	0.320 CFS	

Location of Point(s) of Diversion

MANN CREEK	SW1/4SW1/4SE1/4	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	24																	16.0
																			16.0

Total Acres: 17.8

Conditions 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-580A V1

2. 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.
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 to all Primary Rights on Mann Creek.

Remarks:Comments:

1. mcase 6/2/2004 POU
Comment: Updated Shape
2. mcase 6/2/2004 Quantity
Comment: Annual diversion could not be determined.
3. mcase 6/4/2004 POD
Comment: Updated shape
4. dnarsavage 1/9/2006 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: 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 3:48:08 PM	mcase			Active
Source	6/2/2004 4:04:33 PM	mcase			Active
POU	6/2/2004 4:28:09 PM	mcase			Active
Use	6/2/2004 4:28:24 PM	mcase			Active
Season	6/2/2004 4:29:24 PM	mcase			Active
Quantity	6/2/2004 4:29:44 PM	mcase			Active

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POD	6/4/2004 9:07:39 AM	mcase	Active
Priority Date	4/4/2006 12:08:27 PM	dnarsavage	Active
POD	4/4/2006 12:08:47 PM	dnarsavage	Active
Source	4/4/2006 12:09:40 PM	dnarsavage	Active
POU	4/4/2006 12:10:06 PM	dnarsavage	Active
Use	4/4/2006 12:17:47 PM	dnarsavage	Active
Season	4/4/2006 12:18:28 PM	dnarsavage	Active
Quantity	4/4/2006 12:19:40 PM	dnarsavage	Active
Summary	04/04/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	4/4/2006 12:10:54 PM	dnarsavage	Updated shape for Active POU
Season	4/4/2006 12:18:28 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?
Quantity	4/4/2006 12:19:41 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?

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Summary	4/4/2006 12:20:33 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?
General	4/4/2006 12:08:27 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?
POD	4/4/2006 12:08:47 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?
POD	4/4/2006 12:09:23 PM	dnarsavage	Updated shape
Source	4/4/2006 12:09:41 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?
POU	4/4/2006 12:10:06 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

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Use	4/4/2006 12:17:47 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	9/29/2005 9:48:46 AM	dnarsavage	Updated shape for Active POU
POU	9/29/2005 9:49:05 AM	dnarsavage	Edited Season Of Use
POU	9/29/2005 9:49:14 AM	dnarsavage	Updated PLS for Active POU
POU	1/9/2006 10:52:51 AM	dnarsavage	Updated shape for Active POU
POD	6/4/2004 9:07:40 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?
POU	6/2/2004 4:28:10 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 4:28:25 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?
Quantity	6/2/2004 4:29:45 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? (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?
Priority Date	6/2/2004 3:48:08 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?

IDAHO DEPARTMENT OF WATER RESOURCES

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Season	6/2/2004 4:29:25 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?
Source	6/2/2004 4:04:34 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?

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 67-580 A

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: AS DECREED
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:
Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
- | | | | | | |
|----------------|-------------|---------------|-----------|-----------|-----------|
| Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ | 1/4 _____ |
| Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ | 1/4 _____ |

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

LOWEY DITCH

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: A67-00580A
Date Received: 9/11/1989
Receipt No: 400-5812
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH E. EBRIGHT 208-549-3998
Address: 1827 DEER CREEK RD.
WEISER, ID 83672

OR

Name: NORMA J. EBRIGHT 208-549-3998
Address: 1827 DEER CREEK 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 of	Lot	County
12N	05W	12	SW	SW	SE		WASHINGTON

5. Description of diverting works:
DIVERSION VIA LOLLY DITCH WITH HEADGATE, 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	0.320		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	24	SW	SE		IRR	16.0
Section Acres							16.0
Total Acres							16.0

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:
MANNS CREEK IRRIG. DIST.

14. Remarks:
THIS IS A SECONDARY RIGHT IN THE MANNS CREEK DECREEE #67-G. THE
WATER IS CARRIED IN THE LOLLEY DITCH.

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: 1

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): Norma J. Elyght Date: 9-11-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of September 19 89 Jan Thurt
Notary Public

Seal

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



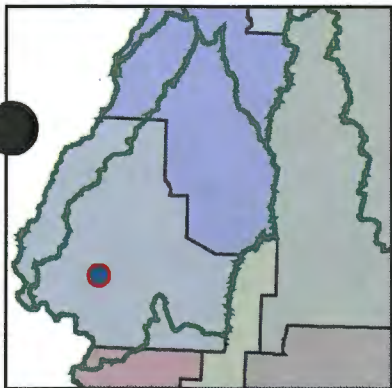
Idaho Department of Water Resources

Adjudication Claim:

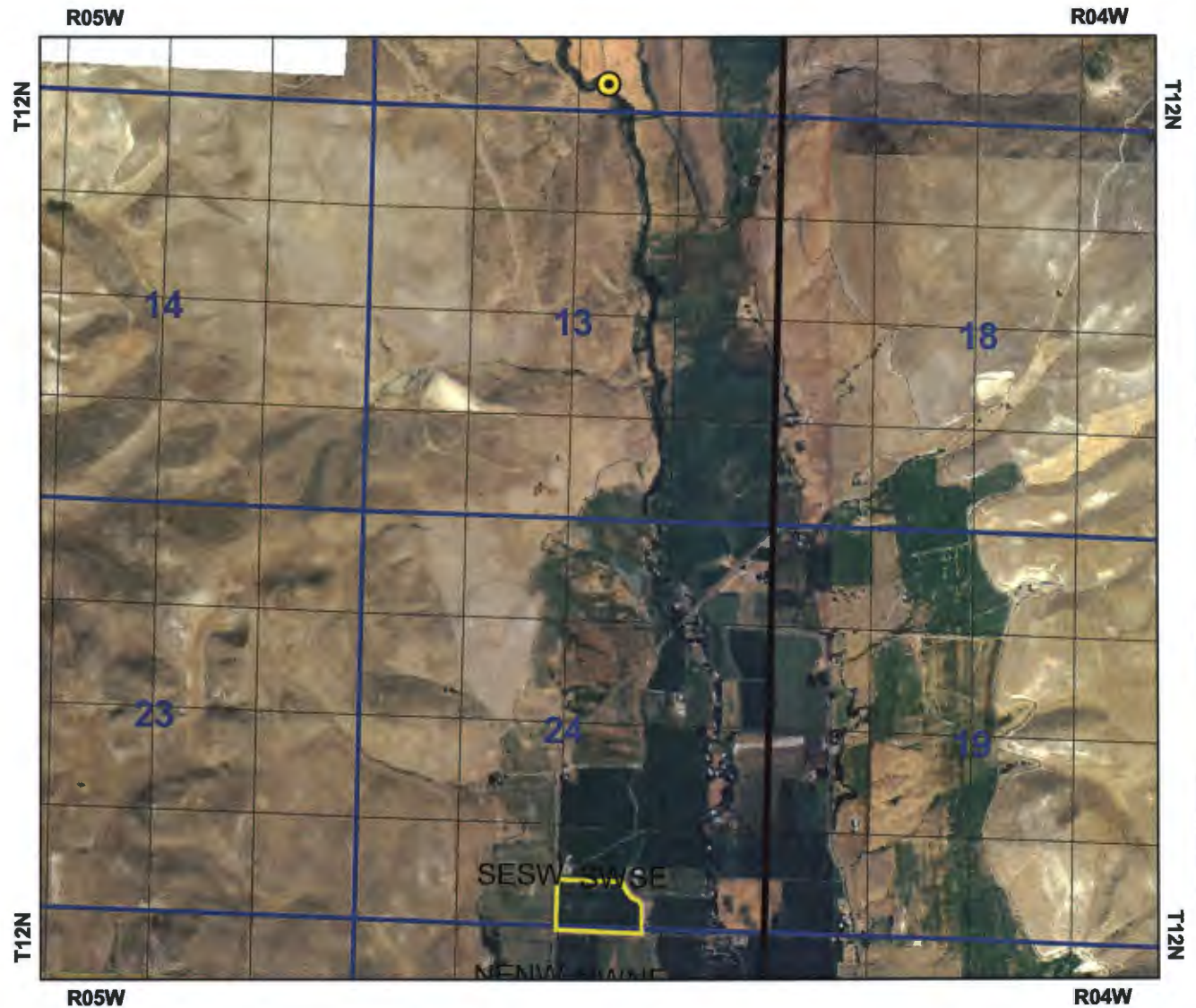
67-580A

Legend

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



Washington County
IDWR Basin 67



0 0.9 1.8 Miles



Prepared by D. Narsavage
On Tuesday, April 4, 2006
1987/88 Aerial Photography

67-580A

