

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 67-587  
Date Received: 3/24/2006  
Receipt No:  
Received By: C080876

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA WATKINS Phone: (208)549-0811

1330 HWY 95  
WEISER ID USA 83672

WALTER J WATKINS Phone: (208)549-0811

1330 HWY 95  
WEISER ID USA 83672

2. Date of Priority: 04/01/1886

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     | Type |
|----------|-------|---------|-----------------------|----|----|------------|------|
| 12N      | 05W   | 12      | SW                    | SW | SE | WASHINGTON |      |

5. Description of diverting works:

Flood irrigation from Lolley Ditch.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 1      |            |

7. Total Quantity Appropriated is:

1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 12N      | 05W   | 25      | SW         | NE  | IRRIGATION    | 40    |
|          |       |         | NW         | SE  | IRRIGATION    | 10    |
|          |       |         |            |     | Section Acres | 50    |
|          |       |         |            |     | Total Acres   | 50    |

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:

14. Remarks:

THIS IS A SECONDARY RIGHT.  
WATER CARRIED IN THE LOLLEY DITCH.  
FLOODWATER 1 CFS. AC. IRR.=50.

Other water right used at the same place and for the same purpose as described above: 67-4253.

Stockwater for 120 head of beef cattle.

Claim fee paid for - receipt number C080876. Acreage paid for by McQueen when filing earlier claims. DLN 04/20/06

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date:

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this

of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public

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:

Ident. Number

Date Received

Receipt Number

39576  
67-587

C080876

DE. D 3-24-06

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
JUN 10 2006  
DEPARTMENT OF  
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) WALTER <sup>ON</sup> AND BARBARA WATKINS Phone (208) 549-0811

Mailing Address 1330 US HWY 95, WEISER, ID Zip 83672

2. Date of Priority (Only one (1) per claim) APRIL 1 1986

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

4. a. Location of existing point of diversion is: Township 12 N Range 5 W Section 12,  
SW 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. FLOOD IRRIGATION FROM LOLLEY  
DITCH.

SCANNED

APR 20 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 1.0 or       

For STOCKWATER purposes from        to        amount        or       

For        purposes from        to        amount        or       

For        purposes from        to        amount        or       

7. Total quantity claimed (a) 1.0 (cfs) and/or (b)        (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER 120 head of Beef Cattle

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 |        |
| 12N | 5W  | 25  |        |       | 40    |       |        |       |       |       |        |       |       |       |        | 10    |       |       | 50     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 50

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.  
67-4253 or None ( )

14. Remarks: SEE ENCLOSED MAP

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Last Name Watkins Ident No. 67-587

SCANNED  
APR 20 2006

**Scale: 2 inches equals 1 mile**

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

APR 20 2006

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X  
If applicable provide IDWR Water Right Number 67-587  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant JEFFERSON v HIGGEN BOTHAM

16. Signature (s)  
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled  
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ✓  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments \_\_\_\_\_

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

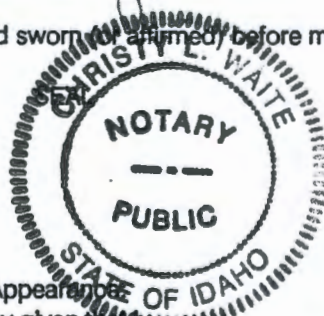
Signature of Claimant (s) Walter S. Watkins Date 3/9/06  
Barbara Watkins Date 3-9-06

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 to before me this 9<sup>th</sup> day of March 2006



Notary Public [Signature]  
Residing at Weiser, ID  
My Commission Expires 11/4/09

Please Print Name

17. Notice of Appearance  
Notice is hereby given that \_\_\_\_\_ 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 Watkins Ident. Number 67-587

SCANNED  
APR 20 2006



## 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

April 24, 2007

BARBARA A WATKINS  
1330 HWY 95  
WEISER ID 83672

RE: Objection to Snake River Basin Adjudication (SRBA) recommendations 67-582, 67-587, 67-594, and 67-4253

Dear Ms. Watkins,

I left you a voicemail the other day, but thought I would re-cap a little of what I told you.

I did review the information you sent me and feel that I can support 190 acres of irrigation based on the evidence you submitted. However, due to the overlapping nature of the water rights, in order for me to be able to make the necessary changes, you will need to file an objection to 67-4253. For your convenience, I have enclosed another objection form.

I have also enclosed copies of **proposed** amended recommendations. This is how I foresee your water rights looking after you file the objection to 67-4253 and we make the appropriate changes to the recommended acreage for decreed rights 67-582, 67-587, and 67-594. There are a couple of things I feel I should point out.

Your irrigated place of use (POU) is proposed to be recommended in two different systems. 67-582 and 67-587 are both served from Lolley ditch, while 67-594 is served from Hanna ditch. Originally, claim 67-4253 was filed to "blanket" all the ground irrigated with decreed rights 67-582, 67-587, and 67-594, filling in the acreage that wasn't described in the decreed rights with beneficial use water or flood water.

In the proposed recommendations, I propose we split 67-4253 into two parts: 67-14866 from the Lolley Ditch and 67-14867 from the Hanna ditch. The result would be recommending 5 rights for two different systems that in combination irrigate 190 acres.

### Lolley Ditch

|                   |                          |
|-------------------|--------------------------|
| 67-582            | Decreed for 30 acres     |
| 67-587            | Decreed for 50 acres     |
| 67-14866          | Recommended for 28 acres |
| Total = 108 acres |                          |

### Hanna Ditch

|                  |                          |
|------------------|--------------------------|
| 67-594           | Decreed for 60 acres     |
| 67-14867         | Recommended for 22 acres |
| Total = 82 acres |                          |

Take a look at the proposed recommendations and let me know what you think. Meanwhile, I encourage you to file the objection for water right 67-4253. This will allow me to split the water right into the two pieces and adjust the recommended acreage under each portion.

Lastly, I cannot stress enough that the copies of the proposed recommendations are simply a suggestion. Right now, in the eyes of the SRBA court, your water rights look just how they did when you objected.

I look forward to hearing from you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton", written in a cursive style.

Craig L. Saxton  
Water Right Supervisor  
Adjudication Bureau  
(208) 287-4916

Enclosure(s)

## Conversation Memorandum

Date: April 10, 2007

To: File 67-582, 67-587, & 67-594, & 67-4253

From: Craig L. Saxton

Re: Objection for SRBA recommendations 67-582, 67-587, & 67-594

I contacted Barbara Watkins by phone today and requested that she submit copies of the FSA photos and Mann Creek Irrigation district records referenced in her objection. She agreed and said she would go into town tomorrow and have them photocopied.

In addition, I told her that I had found about 185 acres but would like something more to support the 190 she was talking about. She said that the FSA photos supported about 188.5 acres and then there was a little field below that could be irrigated which is an acre and a half and that is what brings us up to 190 ac.

said NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec 24, Twp 12 N of R 5 W, and running thence W about 80 rods to the SW corner of the said NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec 24. Thence N 2 rods thence E about 80 rods to the township line. Thence S 2 rods to the place of beginning containing about 1 acre of land. Also a piece of land described as follows to wit: Beginning at the SE corner of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec 19 in Twp 12 N of R 4 W of B M and running thence N along the E line of said described tract 3 rods, Thence W parallel with the S line of said tract to the W line thereof 80 rods more or less; thence S along said W line 3 rods to the E line of said tract. Thence E along said line 80 rods more or less to the place of beginning, containing about one and one half acres.

67 0588 Louis Hayse, and  
Nora B Hayse flood water right 15 miners inches, .30 cu ft, and a low water right of .7 that amount for use upon 15 acres of land described as follows: S $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 25, Township 12 North, Range 5 W B M.

67 0587 Laurence Jones, flood water right 50 miners inches, 1 cu ft and a low water right of .7 that amount, for use upon 50 acres of land described as follows: SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and N $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 25, and NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, Township 12 North, Range 5 W B M.

67 0588 W K Gate and  
Alvin Gate, flood water right 35 miners inches, .70 cu ft and a low water right of .7 that amount for use upon 35 acres of land described as follows: N $\frac{1}{2}$  SE $\frac{1}{4}$  Section 26, NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 25 in Township 12 North, Range 5 W B M.

67 0589 Hattie Connelly, flood water right 10 miners inches, .20 cu ft, and a low water right of .7 that amount, for use upon 10 acres of land described as follows: S $\frac{1}{2}$  of S $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  Section 24, Township 12 North, Range 5 W B M.

BUCHANAN DITCH, date of priority April 1st, 1887, 1884 Amend 6-10-22

Flood water right 90 miners inches, 1.8 cu ft.

Low water right 63 miners inches, 1.26 cu ft.

For use upon lands in severalty with no priority within the ditch as follows:

67 0590 Frank Lund, flood water right 65 miners inches, 1.3 cu ft and a low water right of .7 that amount, for use upon 65 acres of land of the NE $\frac{1}{4}$  Sec 18, Twp 11 N, R 4 W B M.

67 0591 W L Payne, flood water right 25 miners inches, .5 cu ft and a low water right of .7 that amount, for use upon 25 acres of land of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec 19, Twp 11 N, R 4 W B M.

OTTO CROWWALL WEST SIDE DITCH, date of priority April 1st, 1887:

Flood water right 13 miners inches, .26 cu ft.

Low water right 9.1 miners inches, .182 cu ft.

For use as follows:

67 0592 Otto Crowwall, flood water right 13 miners inches, .26 cu ft. and a low water right of .7 that amount for use upon 13 acres of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Sec 12; N $\frac{1}{2}$  of the SE $\frac{1}{4}$ , and SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Sec 11, S $\frac{1}{2}$  of the NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , W $\frac{1}{2}$  of SE $\frac{1}{4}$ , E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Sec 12, all in Twp 12 N, R 5 W B M, situated on the west side of Mann Creek.

LANDSON DITCH, date of priority April 1st, 1886:

Flood water right 50 miners inches, 1 cu ft.

Low water right 35 miners inches, .7 cu ft.

RECORDED  
JUL 24 1886

RECEIVED  
JAN 29 2007  
DEPARTMENT OF  
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

A. )

Subcase

67-582

67-587

67-596

(Insert water right number)

Case No. 39576 )

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Barbara Watkins

Address:

1330 Hwy 95  
Weiser Id. 83672

Daytime Phone:

549-0811

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Walter and Barbara Watkins

Address:

1330 Hwy 95  
Weiser Id. 83672

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: 67-587 and 67-582 should be 107.8 acre | 67-594 should be 82.7 acre
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☐ **Place of Use**  
Should be: \_\_\_\_\_
10. ☐ **I object because:**
  - ☐ This water right Should not exist.
  - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** US Dept of Agriculture Farm Service Agency, shows the acre amount on their maps. The Crop base reports go back many years and we've been paying the main creek irrigation district for 190 acre of water rights for a long time

F.

VERIFICATION (must be completed)

State of Idaho )  
 )ss.

County of Washington

Walter J. Watkins, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Walter J. Watkins  
(Signature of person filing objection)

Robert Watkins  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

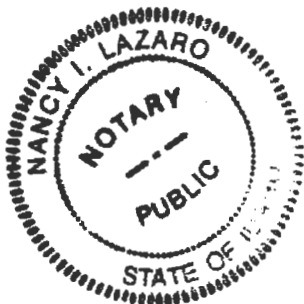
January 26, 2007

Nancy I. Lazaro

Notary Public for Idaho

Residing at: Weiser

My Commission Expires: 10/3/07



### INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

#### G. CERTIFICATE OF MAILING

I certify that on Jan. 26, 200 7, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Walter and Barbara Watkins  
Address: 1330 Hwy 95  
Weiser, Id. 83672

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449

Barbara Watkins  
Signature of objector or attorney  
mailing on Objector's behalf

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-587 V1

WATER RIGHT NUMBER: 67-587 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Original Owner    | LAWRENCE JONES                                                       |
|                   | , ZZ                                                                 |
| Current Owner     | BARBARA WATKINS<br>1330 HWY 95<br>WEISER, ID 83672<br>(208)549-0811  |
| Current Owner     | WALTER J WATKINS<br>1330 HWY 95<br>WEISER, ID 83672<br>(208)549-0811 |

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        | 0.050 CFS             |                      |
| IRRIGATION              | 03/01 to 11/15        | 1.000 CFS             |                      |
| <u>Total Diversion:</u> |                       | 1.000 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

STOCKWATER

| 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  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |

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  |    |    | 40.0 |    |    |    |    |    |    |    |    |    |    |    | 10.0 |    | 50.0   |

Total Acres: 50

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-587 V1

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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 175 acres in a single irrigation season. Combined Right Nos.: 67-582, 67-587, 67-594, 67-4253
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.
4. 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: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:  
 Owner Name Connector: OR  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u>                                               | <u>Volume</u> | <u>Acres</u> |
|-----------------------------------------------------------|---------------|--------------|
| 3.5                                                       |               | 175          |
| Combined Water Rights: 67-582 , 67-594 , 67-4253 , 67-587 |               |              |

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  | 4/20/2006 1:46:31 PM      | dnarsavage      |                           |                 | Active        |
| POD            | 4/20/2006 1:46:52 PM      | dnarsavage      |                           |                 | Active        |
| Source         | 4/20/2006 1:47:55 PM      | dnarsavage      |                           |                 | Active        |
| POU            | 4/20/2006 1:48:26 PM      | dnarsavage      |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-587 V1

|          |                      |            |        |
|----------|----------------------|------------|--------|
| Use      | 4/20/2006 1:50:06 PM | dnarsavage | Active |
| Season   | 4/20/2006 1:50:30 PM | dnarsavage | Active |
| Quantity | 4/20/2006 1:50:56 PM | dnarsavage | Active |
| Summary  | 04/20/2006           | dnarsavage | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD            | 4/20/2006 1:46:53 PM   | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                        |
| Source         | 4/20/2006 1:47:55 PM   | dnarsavage      | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                      |
| POU            | 4/20/2006 1:48:26 PM   | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                      |
| Use            | 4/20/2006 1:50:07 PM   | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                       |
| POU            | 4/20/2006 1:49:41 PM   | dnarsavage      | Edited Season Of Use                                                                                                                                                                                                                                                                                                                                                                                                              |
| General        | 4/20/2006 1:46:31 PM   | dnarsavage      | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(Yes) 16. Is a Priority Date remark and/or condition required? |
| POD            | 4/20/2006 1:47:26 PM   | dnarsavage      | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU            | 4/20/2006 1:49:35 PM   | dnarsavage      | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                      |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-587 V1

|          |                      |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|----------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU      | 4/20/2006 1:55:04 PM | dnarsavage | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| POU      | 4/20/2006 1:55:27 PM | dnarsavage | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Summary  | 4/20/2006 2:00:42 PM | dnarsavage | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(Yes) 5. Does this right have any combined use limits with other rights?                                                                                                                                                                                                                                                      |
| Season   | 4/20/2006 1:50:30 PM | dnarsavage | (Yes) 1. Is the basis of claim Decree or License?<br>(No) 4. Does the Decree or License have a Period of Use?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(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?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required?              |
| Quantity | 4/20/2006 1:50:56 PM | dnarsavage | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(No) 8. Does the parent right have an annual diversion volume limit?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(Yes) 12. Is a Quantity remark or condition required? |

Water Supply Bank:



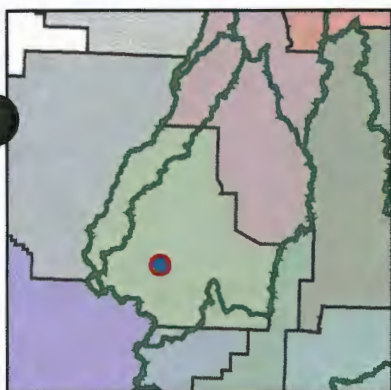
# Idaho Department of Water Resources

SRBA Recommendation:

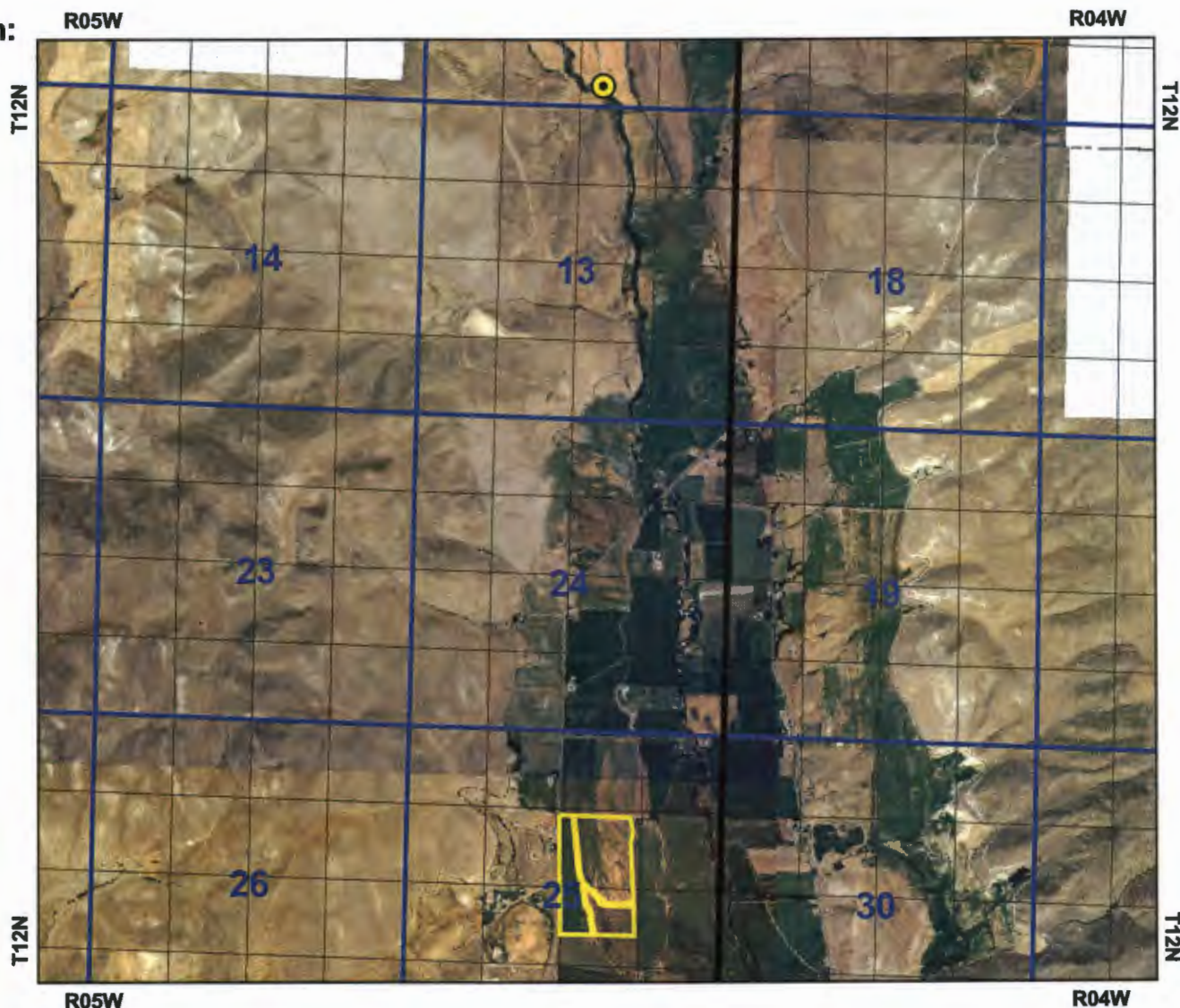
**67-587**

## Legend

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



Washington County  
IDWR Basin 67



0 1 2 Miles



Prepared by D. Narsavage  
On Thursday, April 20, 2006  
1987/88 Aerial Photography

67-587

