

Adjudication Recommendation Report 67-604 V1

1. 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.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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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.
4. 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.

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: 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	6/14/2004 1:10:01 PM	segbert			Active
Source	6/14/2004 1:10:23 PM	segbert			Active
POU	6/14/2004 1:10:40 PM	segbert			Active
Use	6/14/2004 2:26:41 PM	segbert			Active
Season	6/14/2004 2:27:03 PM	segbert			Active
Quantity	6/14/2004 2:27:49 PM	segbert			Active
POD	6/14/2004 2:33:06 PM	segbert			Active
Priority Date	2/13/2006 12:28:35 PM	dnarsavage			Active
Source	2/13/2006 12:37:03 PM	dnarsavage			Active
POU	2/13/2006 12:37:22 PM	dnarsavage			Active
Use	2/13/2006 12:37:53 PM	dnarsavage			Active
Season	2/13/2006 12:39:25 PM	dnarsavage			Active
Quantity	2/13/2006 12:40:08 PM	dnarsavage			Active

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Summary

02/13/2006

dnarsavage

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/13/2006 12:34:34 PM	dnarsavage	Updated shape
POU	2/13/2006 12:37:40 PM	dnarsavage	Updated shape for Active POU
POU	2/13/2006 12:58:53 PM	dnarsavage	Updated shape for Active POU
General	2/13/2006 12:28:36 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?
Season	2/13/2006 12:39:25 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (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	2/13/2006 12:40:09 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	2/13/2006 1:00:48 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? (No) 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?
Source	2/13/2006 12:37:03 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	2/13/2006 12:37:22 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?
Use	2/13/2006 12:37:54 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?
Use	6/14/2004 2:26:42 PM	segbert	(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?
POD	6/14/2004 2:33:07 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Source	6/14/2004 1:10:23 PM	segbert	(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?

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POU	6/14/2004 1:10:41 PM	segbert	(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?
Quantity	6/14/2004 2:27:49 PM	segbert	(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?
Season	6/14/2004 2:27:04 PM	segbert	(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	6/14/2004 1:10:02 PM	segbert	(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?
POU	6/14/2004 2:26:17 PM	segbert	Edited shape boundary

Water Supply Bank:



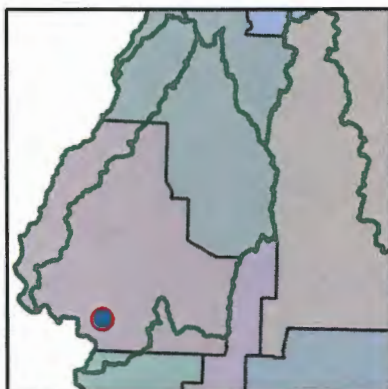
Idaho Department of Water Resources

Adjudication Claim:

67-604

Legend

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



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Monday, February 13, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 8, 2005

JEANNE W WALLACE
PO BOX 711
WEISER ID 83672

RE: SRBA claims 67-597A, 67-00598, 67-00604, 67-00611A, 67-10994 and 67-11636

Dear Mrs. Wallace,

Per our phone conversation this morning, I am sending you a change of ownership form for the above-listed claims. Please complete the change of ownership form and send it back to me, including the warranty deeds we talked about.

Please feel free to contact me at (208) 287-4907 with any questions.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-604
Date Received: 10/20/1989
Receipt No: C012421
Received By:

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

1. Name of Claimant(s)

JEANNE W WALLACE Phone: (208)549-0187

PO BOX 711
WEISER ID USA 83672

GLEN N WALLACE Phone: (208)549-0187

PO BOX 711
WEISER ID USA 83672

2. Date of Priority: 04/01/1896

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	Type
11N	04W	31	NE NW SW 3	WASHINGTON	

5. Description of diverting works:

PUMP IN STREAM WITH PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.78	

7. Total Quantity Appropriated is:
0.78 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	
11N	04W	31	SW	NW	2	IRRIGATION	29
			NW	SW	3	IRRIGATION	10
						Section Acres	39
						Total Acres	39

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

WATER ORIGINALLY CARRIED IN OHMS DITCH, NOW IS PUMPED WITH SPRINK- LER SYSTEM.
THIS IS A SECONDARY RIGHT.

AC. IRR.=39. IRRIGATED ACRES FOR THIS RIGHT WERE DECREED FOR LOTS 2, 3, AND 4, SEC.
31, T11N, R04W. AS NOW UTILIZED THE IRRIGATED ACRES ARE ALL IN LOTS 2 AND 3.

15. Basis of Claim: Decreed

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: A67-00604
Date Received: 10/20/1989
Receipt No: C012421
Received By: JSR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY D. BROWN 208-549-2599
Address: 1814 WEISER RIVER RD.
WEISER, ID 83672

Name: ANN BROWN 208-549-2599
Address: 1814 WEISER RIVER RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1896

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	04W	31	NE	NW	SW	3	WASHINGTON

5. Description of diverting works:
PUMP IN STREAM WITH PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A67-00604

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Date: 10/24/89

SCANNED
APR 06 2004

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	04W	31	SW	NW	2	IRR 29.0
			NW	SW	3	IRR 10.0
					Section Acres	39.0
					Total Acres	39.0

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:
STOR RTS, DEPT. RECL.

14. Remarks:

WATER ORIGINALLY CARRIED IN OHMS DITCH, NOW IS PUMPED WITH SPRINKLER SYSTEM. THIS IS A SECONDARY RIGHT.
AC. IRR.=39. IRRIGATED ACRES FOR THIS RIGHT WERE DECREED FOR LOTS 2, 3, AND 4, SEC. 31, T11N, R04W. AS NOW UTILIZED THE IRRIGATED ACRES ARE ALL IN LOTS 2 AND 3.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: 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): Gary D. Brown Date: 10-19-1989
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Oct. 19 89 Donna E. Luthy
Notary Public

Seal

Residing at Borise, ID
My Commission Expires 11/08/1994

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FEET

4899000m.N.

RO4W
SEC 31

IIIN
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