

RECEIVED

11/14/2006

DEC 05 2006

DEPART
WATER RE

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: 67-624B

BARSTAD FAMILY LTD PARTNERSHIP

1723 UPPER MANN CREEK RD

WEISER ID 83672

Telephone Number: (208)549-2466

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:

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

DATE: 12-3-06

SIGNATURE: Donald Barstad, G.P.

Please print your name: DONALD BARSTAD

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 67-624B V1

WATER RIGHT NUMBER: 67-624B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARSTAD FAMILY LTD PARTNERSHIP 1723 UPPER MANN CREEK RD WEISER, ID 83672 (208)549-2466
Original Owner	J D JONES , ID

Priority Date: 03/29/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANNS 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	0.630 CFS	
	<u>Total Diversion:</u>	0.630 CFS	

Location of Point(s) of Diversion

MANNS CREEK	SE1/4SE1/4NE1/4	Sec. 11, 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	12																25.0	25.0
12N	05W	13	6.7																6.7

Total Acres: 31.7

Conditions of Approval:

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. 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 67-624B 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. segbert 6/17/2004 Season

Comment: They had claimed 1-1 to 12-31. I changed it to 3-1 to 11-15

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	6/17/2004 3:32:34 PM	segbert			Active
Source	6/17/2004 3:32:57 PM	segbert			Active
POU	6/17/2004 3:33:17 PM	segbert			Active
Use	6/17/2004 3:41:09 PM	segbert			Active
Season	6/17/2004 3:41:28 PM	segbert			Active
Quantity	6/17/2004 3:44:15 PM	segbert			Active
POD	6/17/2004 3:53:04 PM	segbert			Active
Summary			11/09/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/27/2005 1:54:36 PM	dnarsavage	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-624B V1

Source	6/17/2004 3:32:58 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?
POU	6/17/2004 3:33:17 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?
Priority Date	6/17/2004 3:32:35 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?
Use	6/17/2004 3:41:09 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?
Quantity	6/17/2004 3:44:15 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?
POD	6/17/2004 3:53:04 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
POU	6/17/2004 3:40:52 PM	segbert	Edited shape boundary
Season	6/17/2004 3:41:28 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?
POD	8/11/2005 2:09:50 PM	dnarsavage	Correlated PODID 621997 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:50 PM	dnarsavage	Correlated PODID 621997 from SpatialDataID 304975 to SpatialDataID 9560
POU	8/19/2005 7:49:50 AM	dnarsavage	Updated shape for Active POU
POU	8/19/2005 7:50:19 AM	dnarsavage	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-624B V1

POU	8/19/2005 7:50:25 AM	dnarsavage	Edited Season Of Use
Summary	11/9/2005 11:55:21 AM	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?
POU	11/9/2005 11:49:09 AM	dnarsavage	Updated PLS for Active POU
POU	11/9/2005 11:48:59 AM	dnarsavage	Updated shape for Active POU

Water Supply Bank:



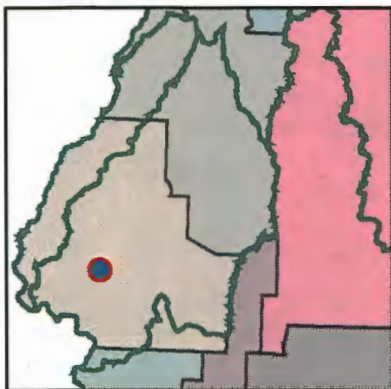
Idaho Department of Water Resources

Adjudication Claim Number: **67-624B**

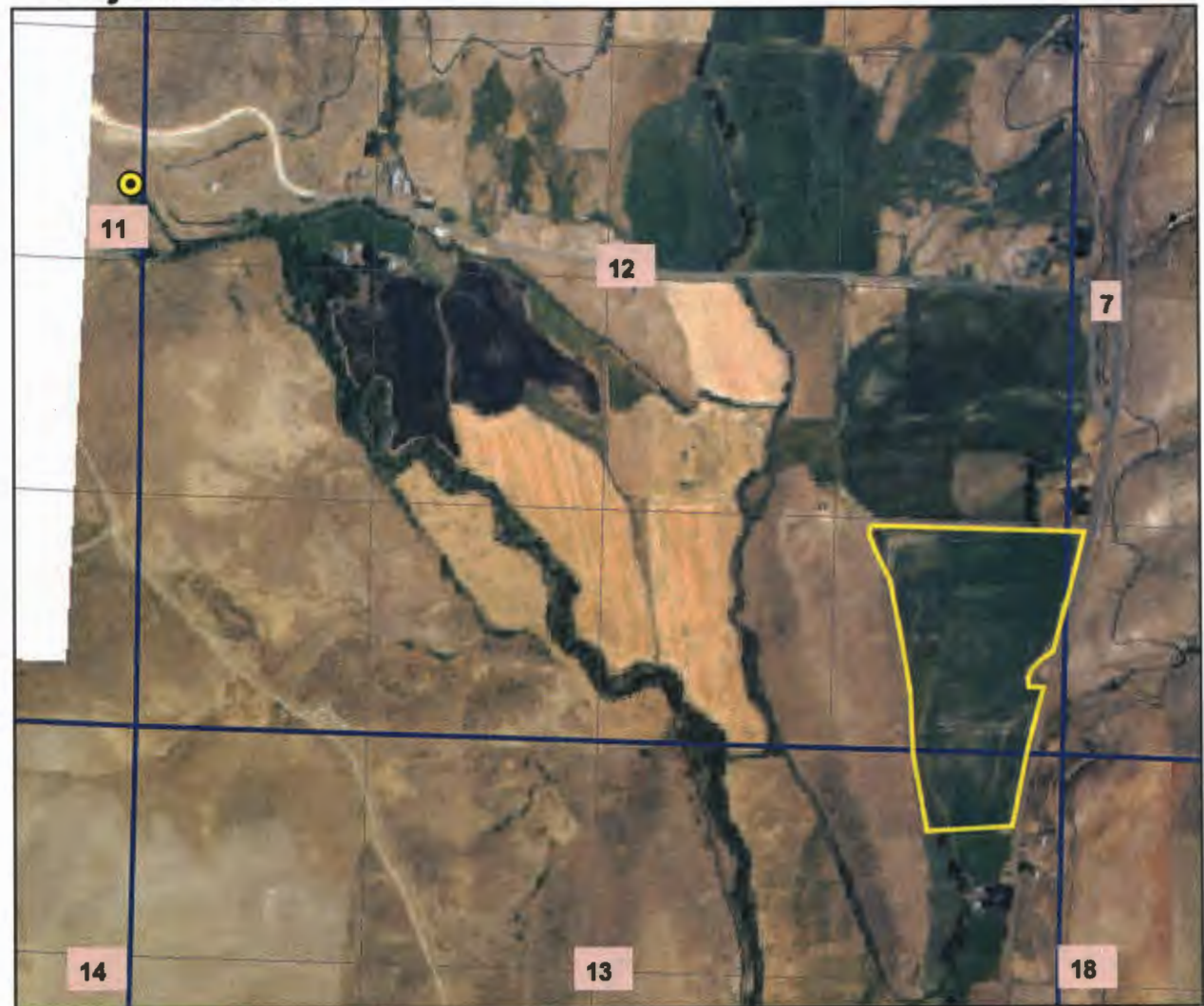
T12N R04W
T12N R05W

Legend

-  Point of Diversion
-  Place of Use
-  PLS Sections
-  GCDBQuarter Quarters



Washington County
IDWR Basin 67



0 0.4 0.8 Miles



Prepared by D. Narsavage
On Monday, December 5, 2005
1987/88 Aerial Photography

Split Analysis

Water Right Number:	67-624
Diversion Rate:	1 CFS
Reviewer Name:	Dan Narsavage
Date:	22-Dec-05

[illegible]

67-624 (50.0 ac & 1.00 cfs)	67-624A	(8.5 ac & 0.14 cfs)	Recommended 0.14 cfs, as claimed
	67-624B	(31.8 ac & 0.64 cfs)	As claimed and recommended

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-624	1	50	0.020
67-624A	0.14	8.5	0.016
67-624B	0.64	31.8	0.020

Priority Date Data Entry Form

Claim Number 67-624B

Claimed Priority Date: 3/29/1913

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

AS ⁽⁶⁷⁻²⁰⁷⁸⁾ LICENSED AND ⁽⁶⁷⁻⁶²⁴⁾ SUBSEQUENTLY DECREEED

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 67-624B

Claimed Point of Diversion and Source

T12N R05W S11 SESENE Within WASHINGTON County Source: MANNS CREEK WEISER RIVER

 Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

AS	CLAIMED	=	AS	DECREED

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 67-624B

Claimed Place Of Use

T12N R05W S12 SESE 30.7 T12N R05W S13 NENE 1.1
Total Acres 31.8

 Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

 See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

SEE MAP + RECOMMENDATION
DIFFERENCES PROBABLY DUE TO ERROR IN PHOTOGRAPHY
OR GLOB.

Reviewer: DLN

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-624B

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

 Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 67-624B

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	1/01	12/31	0.64	

Overall Diversion Rate 0.64

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
USED IDWR STANDARD FOR ACRE				

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

QUANTITY AS CLAIMED = 0.02 CFS / ACRE

Reviewer: DLN

Date: _____

Contacts Data Entry Form**Claim Number: 67-624B**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DONALD F BARSTAD	1555 HWY 95	WEISER	ID	83672-551	(208)549-3794
Original Owner	J D JONES			ID	5	

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____

Date: _____

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: **A67-00624B**

Date Received: 5/29/1990

Receipt No: W012411

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DONALD F BARSTAD
Address: 1555 HIGHWAY 95
WEISER ID

208-549-3794

83672-5515

2. Date of Priority: MAR 29, 1913

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	11	SE	SE	NE		WASHINGTON

5. Description of diverting works:
DIVERSION VIA JOSLIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.640		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	12	SE	SE		IRR	30.7

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.7
		13	NE	NE	IRR	1.1
					Section Acres	1.1
					Total Acres	31.8

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:
NONE

14. Remarks:
THIS IS A SECONDARY RIGHT.
ADDRESS CHANGE BY CLAIMANT LETTER 3/24/99 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.

Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.

vs Decree Defendant

MAR 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 18, 1999

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTORDONALD F BARSTAD
1555 HIGHWAY 95
WEISER ID 83672-5515RE: Snake River Basin Adjudication (SRBA)
Water Rights #67-11520, A67-00624B, A67-00632B,
A67-02078C, A67-11519, A67-00625A & A67-00545A

Dear Water Right Holder:

Words changed 3-24-99. NCAP prepared. -ss

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by April 5, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

(208) 549-3794

Telephone No.

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

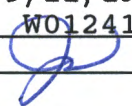
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00624B

Date Received: 9/11/1989

Receipt No: W012411

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD F BARSTAD 415-837-9240
Address: PO BOX 18
DIABLO CA 94528

2. Date of Priority: MAR 29, 1913

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	11	SE	SE	NE		WASHINGTON

5. Description of diverting works:
DIVERSION VIA JOSLIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	12	SE	SE		IRR	30.7

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.7
		13	NE	NE	IRR	1.1
					Section Acres	1.1
					Total Acres	31.8

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:
NONE

14. Remarks:
THIS IS A SECONDARY RIGHT.

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

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:

39576

Ident. Number

Date Received

Receipt Number

AG 7-00624B

9-11-89

6005817 & 2012411

(31.80) (50)

\$ 81.80 TOTAL

RECEIVED

FEB 26 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) DONALD F. BARSTAD Phone (415) 837-9240
Mailing Address P.O. Box 18, DIABLO CA Zip 94528

2. Date of Priority (Only one (1) per claim) 3-29-1913

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

4. a. Location of existing point of diversion is: Township 12N Range 5W Section 11,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: JOSLIN DITCH

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. DIVERSION VIA JOSLIN DITCH.

MICROFILMED

OCT 22 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from JAN 1 to DEC 31 amount ~~0.700~~ .64 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~0.700~~ .64 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ~~0.700~~ 111.3 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 INCIDENTAL TO IRRIGATION.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	05W	12																30.7	30.7
12N	05W	13	1.1																1.1

Total number of acres irrigated 31.8

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 ☒ 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. _____ or None (☒)

14. Remarks:

MICROFILMED

OCT 22 1996

Last Name BARSTAD Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 67-00624

Court _____ Case Number _____ Decree Date 6-3-1921

Plaintiff vs Defendant E.V. JEFFERSON, PLAINTIFF - THOMAS HIGGEN BOTHAM, 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 TWO (PROOF REPORT) - MAP FILED IN A67-00583

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

Signature of Claimant (s)

Donald E. Barstad
DONALD E. BARSTAD

Date

5-29-90 U.S.
2-20-90

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 _____

Title

of _____

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 ADA) SS.

Subscribed and sworn (or affirmed) before me this

29th

day of

May

19

90

Notary Public

Sam Thunt

Residing at

Meridian, ID

My Commission Expires

9-14-94

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 _____

MICROFILMED

OCT 22 1996

Copies White-State, Yellow-Claimant

Water Right Number - 67-00624

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JONES

J. D.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
03/29/1913+ - - - Region - - - +
14+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - +
MANN'S CREEK+ - - - - Tributary - - - - +
WEISER RIVER

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
12N	5E	11	SE	SE	1/4	WASH		

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

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.700				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
12N	05W	11	SE	30.7	TARTEN	01	IRRIGATION		87 WASHINGTON
12N	05W	13	SE	1.1	PEOP	01	IRRIGATION		87 WASHINGTON

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

Conditions of Approval
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
E. V. JEFFERSON ET. AL.+ - - - Decree Defendant - - - +
THOMAS HIGGENBOTHAM ET. AL.+ - Decree Date - +
06/03/1921MICROFILMED
JUL 22 1996

Water right number - 67-00624

Adj. flag translation: Standard Water Right Number

+ - - 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
Start Work 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				

MICROFILMED
OCT 22 1998

Idaho Department of Water Resources

67-624B



T12N R05W S12
T12N R05W S13



900 0 900 1800 Feet

Prepared by Sandy Egbert
6-16-04
1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-624B V1

WATER RIGHT NUMBER: 67-624B V1

Owner Type Name and Address
 Current Owner DONALD F BARSTAD
 1555 HWY 95
 WEISER, ID 83672-5515
 (208)549-3794
 Original Owner J D JONES
 , ID

Priority Date: 03/29/1913

Basis: Decreed

Status:

Source
 MANNS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01	to 11/15	0.640 CFS	
	<u>Total Diversion:</u>		0.640 CFS	

Location of Point(s) of Diversion
 MANNS CREEK
 WASHINGTON County

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
12N	05W	12					30.7
12N	05W	13	1.1				1.1
Total Acres:			31.8				

Conditions of Approval:Remarks:Comments:

1. segbert 6/17/2004 Season
 Comment: They had claimed 1-1 to 12-31. I changed it to 3-1 to 11-15

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-624B V1

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	6/17/2004 3:32:34 PM	segbert			
Source	6/17/2004 3:32:57 PM	segbert			
POU	6/17/2004 3:33:17 PM	segbert			
Use	6/17/2004 3:41:09 PM	segbert			
Season	6/17/2004 3:41:28 PM	segbert			
Quantity	6/17/2004 3:44:15 PM	segbert			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	6/17/2004 3:32:58 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?
POU	6/17/2004 3:33:17 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?
Priority Date	6/17/2004 3:32:35 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?

AJ0749NP
No. A67-00624B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD F BARSTAD 1555 HIGHWAY 95 WEISER ID 836725515 (208) 549-3794	03/29/1913	IRRIGATION	01-01 12-31	0.640 CFS	
TOTAL DIVERSION:					0.640 CFS	

Water Source: MANNS CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Point(s) of Diversion: T12N R05W S11 SESENE

WASHINGTON County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
12N	05W	12	:									:									:	30.7		
12N	05W	13	:			01						:									:	1.1		
TOTAL ACRES																					31.8			

POU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER INCIDENTAL TO IRRIGATION.

Other Rights: NONE

Remarks: GEN THIS IS A SECONDARY RIGHT.
ADDRESS CHANGE BY CLAIMANT LETTER 3/24/99 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 67

Field Inspection Flag:
Presumption Flag:

APR 07 2004
SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

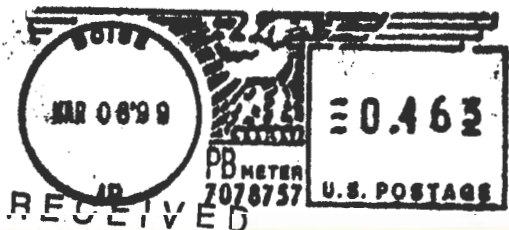
+ A67-00624B
✓ - 00632B
✓ - 02078C

IMPORTANT WATER RIGHT INFORMATION

ADDRESS SERVICE
REQUESTED

A67-11519
✓ - 00625A
✓ - 00545A

RESORTED
FIRST CLASS



RECEIVED

MAR 18 1999

Department of Water Resources

67-11520
DONALD F BARSTAD
PO BOX 18
DIABLO CA 94528

BAR5018 945282034 1C97 17 03/13/99
FORWARD TIME EXP RTN TO SEND
BARSTAD
1555 HIGHWAY 95
WEISER ID 83672-5515

AUT 7946228



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 87-624B V1

Use	6/17/2004 3:41:09 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?
Quantity	6/17/2004 3:44:15 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?
POU	6/17/2004 3:40:52 PM	segbert	Edited shape boundary
Season	6/17/2004 3:41:28 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?

April 11, 1990

Donald F. Barstad
1526 Highway 95 North
Weiser, ID 83672

Dear Mr. Barstad:

I received your letter dated March 29, 1990, on April 2, 1990 requesting an appointment be set up with me to discuss your water right claims in Washington County. I have tried to contact you by phone Monday, Tuesday, and today of this week with no answer at your Weiser phone number. I have not tried your California number assuming you are in Idaho this week as stated in your letter. We also received your earlier letter dated February 22, 1990, and I had given it to the agent who actually did the review on your claims. Due to the fact that we were in the midst of Canyon County claims filing, the agent was booked with Canyon County appointments and could not find the time to answer your letter. I do have to sign any letters returning claims with problems that are sent by the Department's water resource agents and I also do a review of those claims at that time. Therefore, I am familiar with your claims and am available to assist you in completing your claims to insure they are filed correctly.

This letter is to request that you call and set up an appointment with me to complete your claims. It will be difficult to set up an appointment this week because we are in the last week of our Payette County deadline and I will be working at the mobile office in Payette Thursday and Friday. Will there be another time in the next few months that you will be in Idaho? Your claims will not be affected by the delay, because they have been officially received at our office, and just need some changes or corrections. However, the Washington County claims received after the deadline are affected by being submitted late. An extension of time request form can still be completed when you come in for your appointment, and the outcome of that request is not affected by delaying your appointment. Payette County is our last county for claims filing, therefore, any day after April 18, 1990, should be open for an appointment. Hopefully, this delay will not cause you too much inconvenience.

Please contact me at your earliest convenience at 334-2190 to set up an appointment.

Sincerely,

JAN SHURTE
Water Rights Supervisor
Adjudication Section

JS:j

MICROFILMED
OCT 22 1996

db BARSTAD BEEF CATTLE

RECEIVED

APR 02 1990

Department of Water Resources
Western Regional Office

March 29, 1990

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705
Attn: Jan Shurte,
Adjudications Supervisor

Dear Jan:

In February, I sent you a number of water rights revised claim forms per your instruction letter dated February 1, 1990. In that letter there were a number of questions that needed answering by your department. As of this date I have not received a response from you.

I recently purchased another ranch next door to my existing property. I am enclosing these forms that are partially filled out, and, again, there are a number of questions that I need help in answering from your department.

I will be in the Boise area April 7th through April 14th, and if at all possible, I would like to meet with you regarding this matter.

Sincerely,



Donald F. Barstad

DFB/jh

MICROFILMED

OCT 22 1990

db BARSTAD BEEF CATTLE

RECEIVED
FEB 26 1990

Department of Water Resources
Western Regional Office

February 22, 1990

Jan Shurte
Adjudications Supervisor
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Jan:

Enclosed please find copies of #1 - County Property Tax Records, #2 - Mann Creek Irrigation District Assessment, #3 - copy of my original letter dated September 8, 1989, #4 - copy of my original water rights claims dated September 11, 1989, #5 - copy of your receipt #W005817 dated September 11, 1989, #6 - copy of my cancelled check in the amount of \$227.30 dated September 7, 1989, #7 - copy of your letter dated February 1, 1990, #8 - copies of five new revised water rights claims, and #9 - an aerial photo of the property boundaries in question.

In reviewing your forms, WR0723NP, I still find some discrepancies in water right totals.

All that I am trying to do is establish the correct water rights in accordance with the Mann Creek Irrigation District's assessment, that being my first purchase of property called Pedro being 129.1 acres; my second purchase, being called Tartar - 67.9 acres, and my third purchase of property being Tartar - 30.7 acres.

I have marked these plots on the aerial photograph enclosed.

I have not had the new water rights claims notarized as I am uncertain at this point if they are correct. I am planning to be in Idaho next month and could stop in to see you if necessary. In the meantime, if there are any problems or questions on the material that I have furnished you, you may call me at 415-732-1050.

Sincerely,



Donald F. Barstad
DFB/jh
enc.

MICROFILMED
OCT 22 1996

CALIFORNIA: (415) 837-9240 • POST OFFICE BOX 18 • DIABLO, CALIFORNIA 94528
IDAHO: (208) 549-0550 • 1526 HIGHWAY 95 NORTH • WEISER, IDAHO 83672

**Mann Creek
Irrigation
District**

Washington County,
Idaho

**ORIGINAL
FINAL TAX RECEIPT**

TAX LEVY FOR THE YEAR 1988

Nº 6

Weiser, Idaho 12/14, 1988

RECEIVED from

Donald F. Barstad

PO Box 18, Diablo CA 94528

in payment of the taxes for the year 1988 on the following described property, the

sum of

Sixteen hundred sixty-two and 21/100 DOLLARS \$ 1662.21

DESCRIPTION OF LANDS					Assessment Per Acre	Amount and Distribution		
	Section	Twp.	Range	Irrig. Acres				
①	PEDRO	18	12N	4W	129.1	2.79	Maintenance	635.28
	PEDRO	13	12N	5W		4.51	Construction	1026.95
②	TARTEN	13	12N	5W	67.9			
	TARTEN	24	12N	5W			Total Assess.	1662.21
③	TARTEN	12	12N	5W	30.7			
							One-Half Paid	
							Balance Due	
							Penalty	
					227.7		TOTAL PAID	1662.21

IMPORTANT — Please make sure that
you have secured a receipt for each piece
of property you own in the District.

If the owner's name is not correct, please indi-
cate here:

Present Owner _____

Address _____

**THE FOLLOWING TAXES ARE DELINQUENT ON
ABOVE PROPERTY**

Year	Number	Amount

Margaret Chisom

Assistant Secretary-Treasurer

**MICROFILMED
OCT 22 1996**



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 1, 1990

Donald F. Barstad
Barstad Beef Cattle
1526 Highway 95 North
Weiser, Idaho 83672

RE: Snake River Basin Adjudication
Washington County

Dear Mr. Barstad;

Attached you will find your receipt #W005817 for \$227.00 and other documents for your perusal. The attached documents will assist us in correctly filing for your Adjudication Claims. Although, you have been very prudent in your filing, there may be some misunderstanding on your part regarding the necessary filings for your water rights. I would like to explain what has been filed on in your area, and what you should be filing. If after reviewing this letter and the enclosed information, you would like assistance in completion of your filing you should make an appointment with our office. If you prefer to complete the filings in the comfort of your own office, there are additional claims forms enclosed.

You have indicated the License #67-2386 as the basis for your claim, however, the license is in the name of The United States of America, Bureau of Reclamation and represents the irrigation storage rights the Bureau developed in behalf of you and your community. You do own shares of storage water in the Mann Creek Reservoir which you or your predecessors purchased through the Mann Creek Irrigation District. The Bureau of Reclamation, however, owns the reservoir and the storage water rights and has taken care of the filing for this right. In addition, the Mann Creek Irrigation District has filed a "Notice of Claim to a Water Right" for the beneficial use of flood waters from Mann Creek for its share holders. The individual land owners in your community, however, need to file for live flow or previously established rights based on old licenses and decrees appurtenant to their lands, and as listed on a Watermaster's list such as you also submitted with your claim.

We have researched the water rights for your lands and have attached copies of the rights to your previously submitted claim. These rights include portions of six decreed and one licensed right for which five separate

MICROFILMED
OCT 22 1996

filings should be made. The Proof Reports of these water rights are attached to your original claim and contain all the information you need to file these five claims. You have several options in filing these claims, of which we would be more than happy to assist you with. Three of the rights, 67-00513, 67-00514, 67-00515, can be combined on the same claim as they have the same date of priority and have the same source. Each of the other rights should be filed separately including the information we have highlighted or added with a highlighter.

If you have any questions, concerns or would like to make an appointment, please do not hesitate to contact Bruce Schuld through this office.

Sincerely,



Jan Shurte
Adjudications Supervisor
Western Regional Office
Idaho Department of Water Resources

cc:JS:BAS:file

Enclosures: Original "Notice of Claim to a Water Right"
"Notice of Claim to a Water Right" 7 - Long Forms
Proof Reports - 7

MICROFILMED
OCT 22 1998

db BARSTAD BEEF CATTLE

RECEIVED
SEP 11 1989

Department of Water Resources
Western Regional Office

September 8, 1989

Western Region
Idaho Department of
Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Sirs:

Enclosed herewith please find a check in the amount of \$237.30 which covers my \$50.00 application fee and \$1.00 per acre for the 227.3 acres of water rights claimed.

If you have any questions you may contact me directly at 415-952-7522.

Sincerely,



Donald F. Barstad

DFB/jh
enc.

*ORIGINAL
LETTER*

MICROFILMED
OCT 22 1996

CALIFORNIA: (415) 837-9240 • POST OFFICE BOX 18 • DIABLO, CALIFORNIA 94528
IDAHO: (208) 549-0550 • 1526 HIGHWAY 95 NORTH • WEISER, IDAHO 83672