

January 28, 2008

MVB

MONROE CREEK IRRIGATION DIST
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER ID 83672

RE: Possible amendment of SRBA claim 67-634

Dear Claimant(s):

I was recently reviewing claims from Mann Creek and the above-mentioned water right came to my attention. I noticed it was originally decreed in Jefferson v. Higgenbotham as a storage water right, but you claimed it as an irrigation right with no reflection of the storage component. IDWR then recommended it to the SRBA Court as an irrigation right.

As I understand it, water right 67-634 provides flow from Mann Creek to fill Barton Reservoir. If this is the case, I think the purpose of use for water from 67-634 might be better described as "diversion to storage" than "irrigation." If your understanding is similar, you may wish to amend your claim so it accurately reflects how you actually use the water.

Really, you have two options. If you wish to leave the water right the way it was recommended, you don't have to do anything. However, if you feel the water right is better described as being a diversion to storage, you may wish to amend your claim. If you wish to amend your claim, I have included an amended claim showing how I think the water right exists. Feel free to make any changes and initial them before signing the amended claim. If you amend the claim, you will have to file an objection with the court (Standard Form 1, enclosed) and include it with your amended claim.

I realize this is a lot of information to process all at once. Please feel free to contact me at (208) 287-4907 if you have any questions.

Respectfully submitted,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

Scanned 1/29/08

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

AMENDED CLAIM

Ident. Number 67-634
Date Received: 11/14/1989
Receipt No: W006688
Received By:

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

1. Name of Claimant(s)

MONROE CREEK IRRIGATION DIST Phone: (208)549-1144

C/O GEORGE L CHANDLER
1116 HWY 95
WEISER ID USA 83672

2. Date of Priority: 04/01/1915

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
12N	05W	12	SW SE	WASHINGTON	

5. Description of diverting works:

HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DIVERSION TO STORAGE	3/15	11/15	12	

7. Total Quantity Appropriated is:
12 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	05W	3	SW NW	IRRIGATION	18
			NE SW	IRRIGATION	3

			NW	SW	IRRIGATION	13
			SW	SW	IRRIGATION	4
			SE	SW	IRRIGATION	23
			NW	SE	IRRIGATION	3
			SW	SE	IRRIGATION	30
					Section Acres	94
11N	05W	10	NE	NE	IRRIGATION	1
			NW	NE	IRRIGATION	33
			SW	NE	IRRIGATION	28
			SE	NE	IRRIGATION	11
			NE	NW	IRRIGATION	20
			NE	SW	IRRIGATION	5
			NE	SE	IRRIGATION	5
			NW	SE	IRRIGATION	27
			SW	SE	IRRIGATION	26
					Section Acres	156
11N	05W	15	NW	NE	IRRIGATION	33
			SW	NE	IRRIGATION	37
			NE	SW	IRRIGATION	17
			SW	SW	IRRIGATION	20
			SE	SW	IRRIGATION	24
			NW	SE	IRRIGATION	27
			NE	NE	IRRIGATION	15
			SE	NE	IRRIGATION	15
					Section Acres	188
11N	05W	21	NE	SE	IRRIGATION	22
			NE	NE	IRRIGATION	14
			SW	NE	IRRIGATION	4
			SE	NE	IRRIGATION	31
			SE	SW	IRRIGATION	18
			NW	SE	IRRIGATION	32
			SW	SE	IRRIGATION	25
					Section Acres	146
11N	05W	22	NW	NW	IRRIGATION	4
					Section Acres	4
11N	05W	28	SW	NW	IRRIGATION	38
			NW	NE	IRRIGATION	17
			NE	NW	IRRIGATION	34
			NW	NW	IRRIGATION	21
			SE	NW	IRRIGATION	27
			NE	SW	IRRIGATION	10
			NW	SW	IRRIGATION	20
					Section Acres	167
11N	05W	29	SE	NE	IRRIGATION	28
					Section Acres	28
					Total Acres	783

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:

THIS IS A SECONDARY RIGHT.= 8.4 CFS FLOOD WATER RIGHT IS 12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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: A67-00634
Date Received: 11/14/1989
Receipt No: W006688
Received By: _____

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

1. Name: MONROE CREEK IRRIGATION DIST. 208-549-1144
Address: C/O GEORGE L. CHANDLER
1116 HWY 95
WEISER, ID 83672

2. Date of Priority: APR 01, 1915

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	3	SW	NW		IRR	18.0
			NE	SW		IRR	3.0
			NW	SW		IRR	13.0

A67-00634

Page 1

Date: 05/14/90

SCANNED
APR 07 2004

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	3	SW	SW		IRR	4.0
			SE	SW		IRR	23.0
			NW	SE		IRR	3.0
			SW	SE		IRR	30.0
			Section Acres				94.0
		10	NE	NE		IRR	1.0
			NW	NE		IRR	33.0
			SW	NE		IRR	28.0
			SE	NE		IRR	11.0
			NE	NW		IRR	20.0
			NE	SW		IRR	5.0
			NE	SE		IRR	5.0
			NW	SE		IRR	27.0
			SW	SE		IRR	26.0
			Section Acres				156.0
		15	NE	NE		IRR	15.0
			NW	NE		IRR	33.0
			SW	NE		IRR	37.0
			SE	NE		IRR	15.0
			NE	SW		IRR	17.0
			SW	SW		IRR	20.0
			SE	SW		IRR	24.0
			NW	SE		IRR	27.0
			Section Acres				188.0
		21	NE	NE		IRR	14.0
			SW	NE		IRR	4.0
			SE	NE		IRR	31.0
			SE	SW		IRR	18.0
			NE	SE		IRR	22.0
			NW	SE		IRR	32.0
			SW	SE		IRR	25.0
			Section Acres				146.0
		22	NW	NW		IRR	4.0
			Section Acres				4.0
		28	NW	NE		IRR	17.0
			NE	NW		IRR	34.0
			NW	NW		IRR	21.0
			SW	NW		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	28	SE	NW		IRR	27.0
			NE	SW		IRR	10.0
			NW	SW		IRR	20.0
						Section Acres	167.0
		29	SE	NE		IRR	28.0
						Section Acres	28.0
						Total Acres	783.0

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:
A67-02032, A67-00724

14. Remarks:
THIS IS A SECONDARY RIGHT.= 8.4 CFS
FLOOD WATER RIGHT IS 12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.

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: _____

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 _____

RECEIVED

NOV 14 1989

Department of Water Resources
Western Regional Office

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: A67-00634

Date Received: 11-14-89

Receipt No: 2006688

Received By: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONROE CREEK IRRIGATION DIST. 208-549-1144
Address: C/O GEORGE L. CHANDLER
1116 HWY 95
WEISER, ID 83672

2. Date of Priority: APR 01, 1915

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	3	SW	NW		IRR	18.0
			NE	SW		IRR	3.0

A67-00634

Page 1

Date: 10/18/89

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	3	NW	SW		IRR	13.0
			SW	SW		IRR	4.0
			SE	SW		IRR	23.0
			NW	SE		IRR	3.0
			SW	SE		IRR	30.0
			Section Acres				94.0
		10	NE	NE		IRR	1.0
			NW	NE		IRR	33.0
			SW	NE		IRR	28.0
			SE	NE		IRR	11.0
			NE	NW		IRR	20.0
			NE	SW		IRR	5.0
			NE	SE		IRR	5.0
			NW	SE		IRR	27.0
			SW	SE		IRR	26.0
			Section Acres				156.0
		15	NE	NE		IRR	15.0
			NW	NE		IRR	33.0
			SW	NE		IRR	37.0
			SE	NE		IRR	15.0
			NE	SW		IRR	17.0
			SW	SW		IRR	20.0
			SE	SW		IRR	24.0
			NW	SE		IRR	27.0
			Section Acres				188.0
		21	NE	NE		IRR	14.0
			SW	NE		IRR	4.0
			SE	NE		IRR	31.0
			SE	SW		IRR	18.0
			NE	SE		IRR	22.0
			NW	SE		IRR	32.0
			SW	SE		IRR	25.0
			Section Acres				146.0
		22	NW	NW		IRR	4.0
			Section Acres				4.0
		28	NW	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	28	NE	NW		IRR	34.0
			NW	NW		IRR	21.0
			SW	NW		IRR	38.0
			SE	NW		IRR	27.0
			NE	SW		IRR	10.0
			NW	SW		IRR	20.0
						Section Acres	167.0
		29	SE	NE		IRR	28.0
						Section Acres	28.0
						Total Acres	783.0

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:
A67-02032, A67-00724

14. Remarks:
THIS IS A SECONDARY RIGHT.= 8.4 CFS
FLOOD WATER RIGHT IS 12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.

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: _____

For Organizations:

I do solemnly swear or affirm that I am Chairman of
Title
Monroe Creek Irrigation District, that I have signed the foregoing
Organization
document in the space below as Chairman of
Title
Monroe Creek Irrigation District and that the statements contained in the
Organization
foregoing document are true and correct.

George L. Chalk
Signature of Authorized Agent
Chairman
Title and Organization
11-1-89
Date

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of Nov 19 89

Boulton J. Davis
Notary Public

Seal

Residing at Weiser
My Commission Expires 9-16-92

08/02/2005

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

RIGHT NUMBER: 67-634

NAME AND ADDRESS: MONROE CREEK IRRIGATION DIST
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 12.000 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T12N R05W S12 SWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	12.000 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

753 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

THIS IS A SECONDARY RIGHT.= 8.4 CFS FLOOD WATER RIGHT IS
12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water Right 67-634

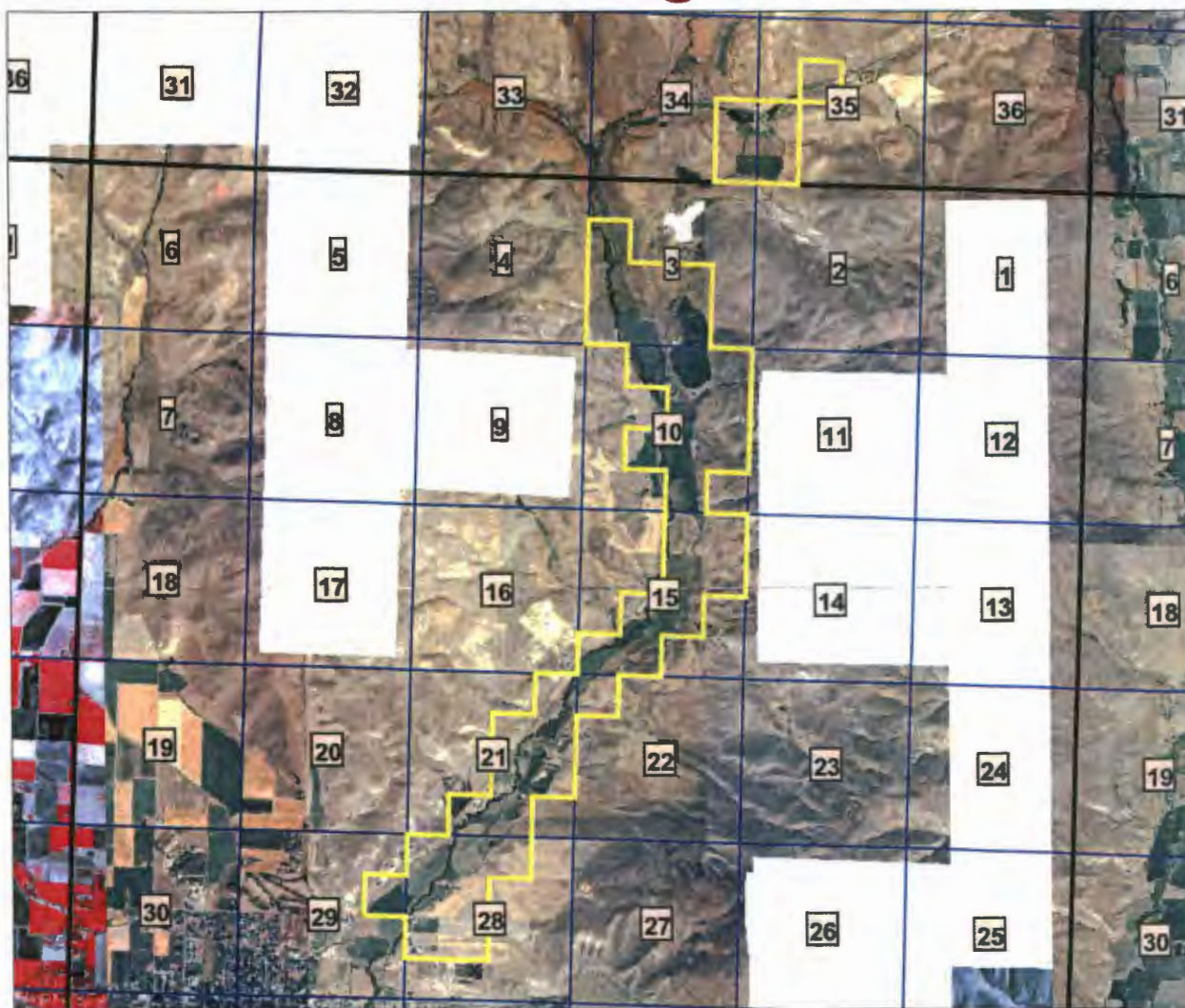
Idaho Department of Water Resources



Legend

- Monroe creek id.shp
- Townships
- Section Lines

Monroe Creek Irrigation District



0 2 4 Miles

A scale bar showing distances of 0, 2, and 4 miles.

Prepared by D. Narsavage
On Tuesday, May 17, 2005
1987 Aerial Photography

T11N R05W

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-634 V1

WATER RIGHT NUMBER: 67-634 V1

Owner Type Name and Address
Current Owner MONROE CREEK IRRIGATION DIST
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER, ID 83672
(208)549-1144

Priority Date: 04/01/1915

Basis: Decreed

Status: Active

Source Tributary
MANNS CREEK WEISER RIVER

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION 3/15 to 11/15 12.000 CFS
Total Diversion: 12.000 CFS

Location of Point(s) of Diversion
MANNS CREEK SW1/4SE1/4 Sec. 12, Twp 12N, Rge 05W, B.M.
WASHINGTON County

Place of Use
IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 05W 3							X		X	X	X	X		X	X		
11N 05W 10	X	X	X	X	X				X				X	X	X		
11N 05W 15	X	X	X	X					X		X	X		X			
11N 05W 21	X		X	X								X	X	X	X		
11N 05W 22						X											
11N 05W 28		X			X	X	X	X	X	X							
11N 05W 29	X			X									X	X			
12N 05W 34													X			X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-634 V1

Contacts	7/22/2005 1:22:28 PM	awarntje	Active
Priority Date	7/22/2005 1:23:06 PM	awarntje	Active
POD	7/22/2005 1:24:08 PM	awarntje	Active
Source	7/22/2005 1:24:28 PM	awarntje	Active
Use	7/22/2005 1:25:00 PM	awarntje	Active
Season	7/22/2005 1:36:47 PM	awarntje	Active
Quantity	7/22/2005 1:38:21 PM	awarntje	Active
Summary		07/22/2005 awarntje	Active
POU	7/22/2005 1:42:51 PM	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/22/2005 11:57:17 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	7/22/2005 11:58:20 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
POU	7/22/2005 12:01:49 PM	awarntje	Updated shape for Active POU
Use	7/22/2005 1:25:01 PM	awarntje	(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?
Contacts	7/22/2005 1:22:28 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
General	7/22/2005 1:23:07 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-634 V1

Season	7/22/2005 1:36:48 PM	awarntje	(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? (Yes) 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) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
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Water Supply Bank:

67-C-1

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND
FOR THE COUNTY OF WASHINGTON.

D V JEFFERSON, T W BARTON, GUY GALLOWAY, W JEFFERSON, EMMA LUND
COOK, E R MOORE, SNA LUND, FRANK LUND, Guardian of the estate
of Anna S. Lund, an incompetent person, F RICHMOND, W L PAINE,
O B MILLER, L P LYNCH, FRANK LUND, W R BRIST, CHAS H BOHNER,
J L BOSTON, R E GILBERT, S A ROBINSON, HIRSHAN BRADSHAW, MARY
LYNCH, D H LYNCH, H L SIPE, C V BRIST,

PLAINTIFFS,

vs.

THOMAS H HIGGEBOTHAM, MRS A J LAMBERSCH, W T BROWN, M C BROWN,
R H GROSS, CHAS M STAMPER, JAS H HIGGEBOTHAM, G G STEELE, H T
BARKER, R M BAKER, J D JONES, OTTO CHORNALL, S W SPANGLER, OTTO
F STROHME, W A STROHME, J A TARTER, IDETTE COMARLY, PHILIP COM-
MELLY, JENNIE M BARR, GEORGE C COMMELLY, ROSE A SALING, CHAS B
COMMELLY, OSCAR W MAKIN, THOMAS S MAKIN, SAMUEL S AKLEY, BERTHA
M AKLEY, FRANK STEINWEEDEN, ADDA BICH, VIRG ADAMS, D W ADAMS,
E L SALING, RUSS JACKSON, MARCEL JACKSON, J E LOLLEY, KLEIN J
MATHAN, WILLIAM MAKIN, MORA D RAYSE, W A GATE, W E GATE, LULA H
COATES, W H JOHNSON, W A HOOVER, WILLIAM SHUTTON MATTHEWS, RAIL
ADAMS, GEORGE H BOOLEY, E A LECANS, A E LOLLEY, I H MOORE, J I
WILLIAMSON, C E NEELAN, W T AND MAGGIE L WALKER, JOHN W WALKER,
DALLAS F SATTER, FANNY A SATTER, ALEXANDER GALLISON, CHARLES
OLSON, A P COOPER, O A WEST, GROVER C JONES, TIBEL GILLISON,
GEORGE W HERMAN, SUSIE HERMAN, L A AND MARCEL JEWELL STYLES,
THOMAS ATTEBERRY, J H BARTON, H N TEND, W E BRIDGE, HARRY C AND
MATTIE WILKART, P E ROGERS, MARTHA E ROGERS, JESSIE S MORGAN,
CHAS D SHIRLEY, JR., H D AND ALICE EWIN, C L GIER, CARL C
BRENNER, MRS CORA GOLDSMITH, IRA GOLDSMITH, MARGARET A LYNCH,
ARTHUR BRENNER, R T DAVIS, DAN HODGETT, FRANK GOLDBRANT, I B
POUND, ABBIE STEINWEEDEN, JESLA P CALHOUN, FRANK HOPPER, C E GAR-
NER, C T COATES, W H CHITWOOD, HENRY BAGLEY, A MLOUENCY GALLOWAY
Water Commissioner of District No 41, FRED A WILKIE, State
Engineer of Idaho, AUGUST BROOKMAN, Trustee, C M HIRSH, Admin-
istrator of the Estate of W H Barton, IDA LOLLEY, J H BLINN,

DEFENDANTS.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND DECREE.

Trans. Vol. 1

This cause coming on regularly to be heard in open court, before the under-
signed Ed L Bryan, a Judge of said Court, at Boise, in the County of Washington, State
of Idaho, on the 17th day of July, 1919, and it appearing to this Court that the parties
hereinafter found to be entitled to a right to the use of water from Mann Creek have
herein, through their respective counsel, filed answers and cross-complaints to the
amended complaint of plaintiffs, and that all parties so appearing are represented in
court by their said respective attorneys of record, and that W T Brown, Chas M Stamper,
Jas H Higgenbotham, Rose A Saling, Frank Steinweeden, W H Johnson, Thos Atteberry, Chas
D Shirley, Jr., Ira Goldsmith, Margaret A Lynch, Abbie Steinweeden, C E Garner, C T
Coates, W H Chitwood, Henry Bagley and Ida Lolley, have heretofore been regularly and
duly served with summons herein and that the time provided by law and expressed in said
summons for the appearance and answer of the parties last named has expired, and that no
appearance has been made or answer filed by, or on behalf of said last named parties, or
either of them, upon motion of attorney for plaintiffs the default of said T Brown,
Chas M Stamper, Jas H Higgenbotham, Rose A Saling, Frank Steinweeden, W H Johnson, Thos
Atteberry, Chas D Shirley, Jr., Ira Goldsmith, Margaret Lynch, Abbie Steinweeden, C E
Garner, C T Coates, W H Chitwood, Henry Bagley, and Ida Lolley, is entered and all par-
ties being ready for trial the court proceeds to a trial of the issues raised by the
pleadings herein, and the various parties appearing herein in open court do enter into a
stipulation of the facts and all the facts pertinent to and relevant to the rights of
the respective parties herein, and in respect to and pertaining to all of the issues
raised by the pleadings herein, and the said stipulation of facts being finished all

Ed L Bryan
JUL 24 1919

parties rest, whereupon the court does take the same under advisement, and having considered _ of the pleadings herein, and the stipulation of facts herein, and being fully advised in the premises the following are made, found, and filed herein as

FINDINGS OF FACT

I.

That Mann Creek is situated in the County of Washington, State of Idaho, and is a natural public stream, and that the waters of said Mann Creek are subject to appropriation under the constitution and laws of the State of Idaho.

II.

That each and every tract of land hereinafter described is situated in the County of Washington, State of Idaho and is arid in character, and without the artificial application of water, and without irrigation, will not produce profitable crops.

III.

That each and every party to this action, or the predecessor in interest of such party, who made appropriation of water as hereinafter set out, or who now holds water as hereinafter set out, was at the time of such appropriation, and now is a citizen of the United States of America, a resident and citizen of the State of Idaho, and duly qualified under the constitution and laws of the State of Idaho to appropriate and own a water right appurtenant to land.

IV.

That on April 20th, A D, 1910, in the case entitled "Thomas Shannon et al vs. Thomas Higgenbotham et al" this court did determine and decree the water rights of various parties litigant to this action, and did therein fix and decree the duty of water at .7 (seven tenths) of a miners inch per acre.

V.

That no proof has been submitted or showing made in this action of a change in conditions which will warrant this court at this time finding a different duty of water on said Mann Creek, and upon the several tracts of land hereinafter described, in low water season, and the duty of water at this time on said Mann Creek, and on the several tracts of land herein described in low water season is found to be .7 (seven tenths) of a miners inch per acre, measured under a four (4) inch pressure, each miners inch being the equivalent of $\frac{1}{50}$ (one fiftieth) part of a cubic foot of water per second of time, and that when hereafter in these findings the term "miners inch", the term "inches", abbreviated "in.", or the term "cubic foot", abbreviated "cu. ft.", or either of them, are used, the hereinabove standard of measurement is intended; but this court finds that the duty of water on said Mann Creek, and on the several tracts of land herein described is, in flood water season, or during high water season one (1) miners inch per acre measured under a four (4) inch pressure, the equivalent of $\frac{1}{50}$ (one fiftieth) part of a cubic foot per second of time.

VI.

That each and every of the parties named in the hereinafter described "primary rights", or their respective predecessors in interest, were and each of them were either a party plaintiff or a party defendant, or a party intervenor in that certain action hereinabove referred to entitled "Thomas Shannon et al vs. Thomas Higgenbotham et al", in which action this court did enter judgment and decree on the 20th day of April A D,

RECEIVED
JUL 24 1910

JOSLIN EXTENSION DITCH, date of priority April 1st, 1914;

Flood water right 20 miners inches, .4 cu ft.

Low water right 14 miners inches, .28 cu ft.

For use as follows:

67 0632 Earl Adams, flood water right 20 miners inches, .4 cu ft. and a low water right of .7 that amount, for use upon 20 acres of land described as: Beginning at the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec 18, Twp 12 N, R 4 W B M and running thence S along the E line of said described tract 335 $\frac{1}{2}$ feet; thence S and parallel with the N line of said Sec 18 W 1947 feet; thence N to the N line of Lot 4 in said Sec 335 $\frac{1}{2}$ feet; thence E and parallel with the N line of said Sec 18, 1947 feet to the place of beginning. Containing 15 acres more or less.

Lot 1, same being the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 19, Twp 12 N of R 4 W B M, except a strip of land 2 rods wide and 80 rods long off of the extreme W side of said land and also except that certain part or portion of said land described as follows, to wit:

Beginning at the SE corner of said Lot 1 and run thence W 16 feet; thence N on a line parallel with the E line of said Lot 1, 417 feet; thence W 502 feet; thence N 190 feet; thence E 518 feet; to the E line of said Lot 1 thence S on the E line of said Lot 1, 607 feet to the place of beginning.

Lot 2, Sec 10, Twp 12, N, R 4 W B M.

LUND DITCH, date of priority April 1st, 1914;

Flood water right 6 miners inches, .12 cu ft.

Low water right 4.2 miners inches, .084 cu ft.

For use as follows:

67 0633 W L Payne, flood water right 6 miners inches, .12 cu ft and a low water right of .7 that amount, for use upon 6 acres of land of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 20, Twp 11 N, R 4 W B M and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 19, Twp 11 N, R 4 W B M.

LOLLY DITCH, date of priority April 1st, 1915;

Flood water right 600 miners inches, 12. cu ft.

Low water right 420 miners inches, 8.4 cu ft.

For use as follows:

67 0634 Monroe Creek Irrigation Company, flood water right 600 miners inches, 12 cu ft. and a low water right of .7 that amount, for use as storage right for Barton Reservoir.

ORMS DITCH, date of priority April 1st, 1916;

Flood water right 15 miners inches, .3 cu ft.

Low water right 10.5 miners inches, .21 cu ft.

For use as follows:

67 0635 Gus Galloway, flood water right 15 miners inches, .3 cu ft and a low water right of .7 that amount, for use upon 15 acres of land of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 1, Twp 10 N, R 5 W B M.

XI.

That the term "flood water" hereinabove used is intended to mean that portion of any year when there is sufficient water in Mann Creek to allow to each and every acre of land hereinabove described a full miners inch of water per acre measured under a 4 inch

JUL 24 1936

Date Received

NOV 01 1989

approved

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

MONROE CREEK IRRIGATION DIST. (208) 549-1144
Name of Claimant C/O GEORGE L. CHANDLER Phone Number
1116 HWY 95 WEISER ID 83672
Mailing Address City State Zip
WASHINGTON 10-19-89
County(s) where place of use is located Date claim originally due
A67-00634, A67-00724, A67-02032
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The Chandlers have been in (2) two times to complete their claims. During that time and after I have worked on them in my spare time and now have them completed for pay & signing. PLEASE GRANT THIS EXTENSION OF TIME. - Ron Howerton.

Claimant requests an extension to x Monroe Creek Irrigation Dist Claim 19 89

x George L Chandler x 10-27- 19 89
Signature Date of request

x Chairman
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [] denied] for the following reasons:

and if granted the filing deadline is extended to November 20 19 89

Signed this 4 day of November 19 89

Director or his designated agent

DAVID B. SHAW

RECEIVED

NOV 06 1989

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
OCT 22 1996

Department of Water Resources
Western Regional Office

SCANNED
APR 07 2004

Monroe Creek Irrigation District

[illegible]