

11/14/2006

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: 67-7194

LEE ROY J EISENBARTH
785 JENKINS CREEK RD
WEISER ID 83672
Telephone Number: (208)549-2189

SALLY E EISENBARTH
785 JENKINS CREEK RD
WEISER ID 83672
Telephone Number: (208)549-2189

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:

Moved well to NOT disrupted Neighbors
Domestic well.

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

DATE: 11-29-06 SIGNATURE: Lee Roy J. Eisenbarth
Please print your name: Lee Roy J. Eisenbarth

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

changed POD
MVB
12-8-2006

10/30/2006

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

RIGHT NUMBER: 67-7194

NAME AND ADDRESS: LEE ROY J EISENBARTH
785 JENKINS CREEK RD
WEISER ID 83672

SALLY E EISENBARTH
785 JENKINS CREEK RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.500 CFS
338.000 AFY

Right Nos. 67-2322 and 67-7194 are limited to a total combined diversion rate of 1.52 cfs and to a total combined annual diversion volume of 342 AF.

PRIORITY DATE: 02/07/1974

POINT OF DIVERSION:

T11N R06W S25 NENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.500 CFS 338.00 AFY

The use of water for irrigation under this right may begin as early as March 1 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S25	NENE	40.00	T11N R06W S25	NWNE	5.00
T11N R06W S25	SENE	30.00			

75 ACRES TOTAL

Right Nos. 67-2322 and 67-7194 are limited to the irrigation of a combined total of 76 acres in a single irrigation season.

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

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 - License

Use of this right is combined with water from Weiser Irrigation District.

Right No. 67-2322 is also diverted through point of diversion described above.



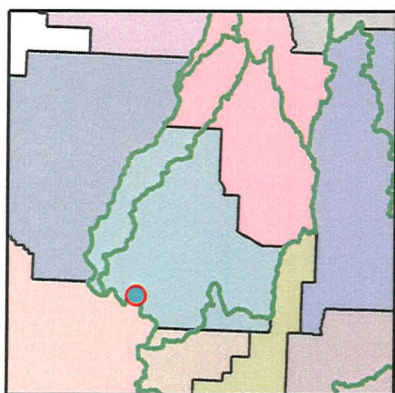
Idaho Department of Water Resources

SRBA Recommendation:

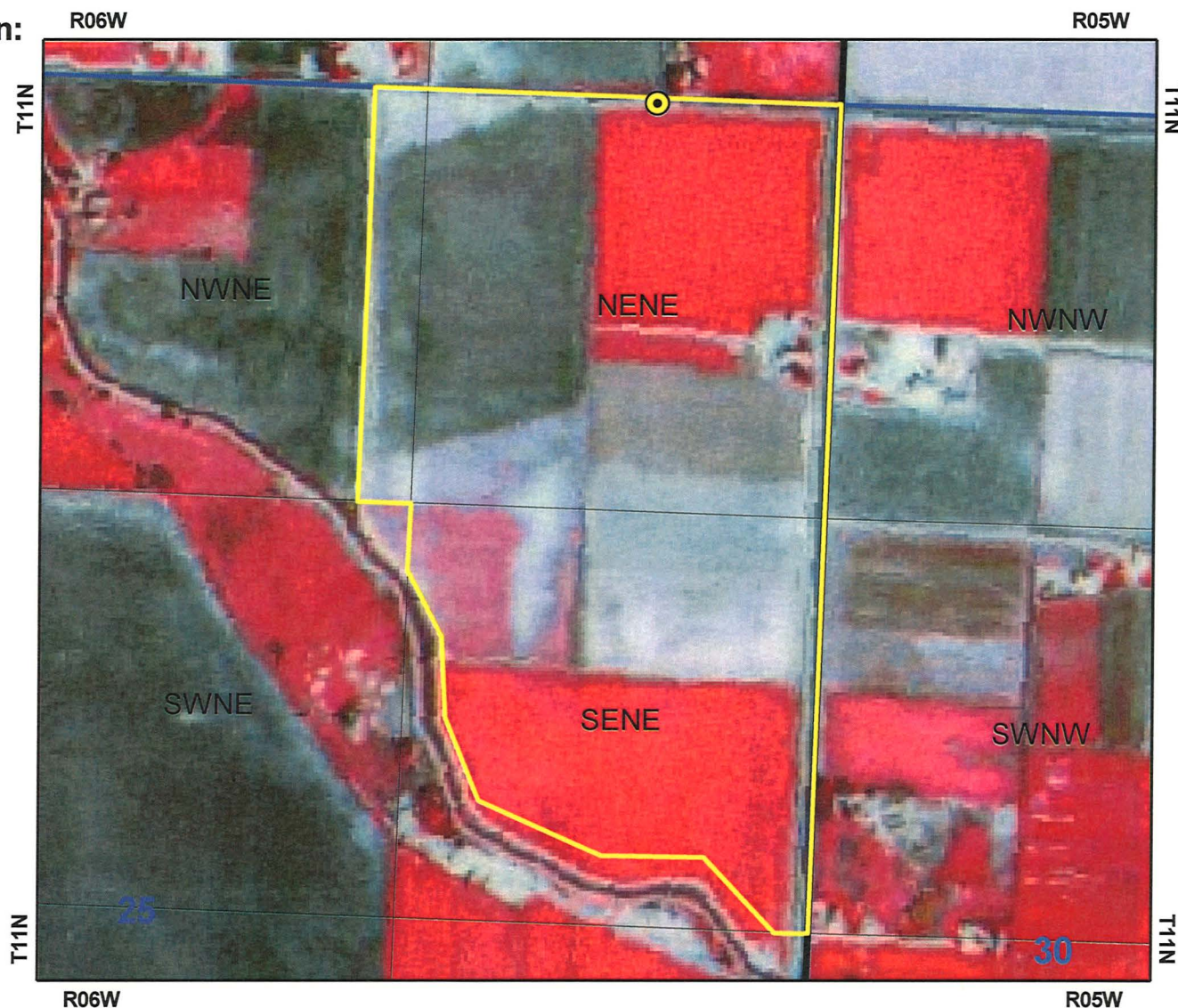
67-7194

Legend

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



Washington County
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by J. Dean
On Monday, October 30, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

WATER RIGHT NUMBER: 67-7194 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEE ROY J EISENBARTH 785 JENKINS CREEK RD WEISER, ID 83672 (208)549-2189
Current Owner	SALLY E EISENBARTH 785 JENKINS CREEK RD WEISER, ID 83672 (208)549-2189

Priority Date: 02/07/1974

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.500 CFS	338.00 AF
	<u>Total Diversion:</u>	1.500 CFS	338.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 25, Twp 11N, Rge 06W, 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	06W	25	40.0	5.0		30.0												75.0	

Total Acres: 75

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. E55 Right Nos. 67-2322 and 67-7194 are limited to the irrigation of a combined total of 76 acres in a single irrigation season.
3. F14 Use of this right is combined with water from Weiser Irrigation District.
4. E60 Right Nos. 67-2322 and 67-7194 are limited to a total combined diversion rate of 1.52 cfs and to a total combined annual diversion volume of 342 AF.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

5. S47 The use of water for irrigation under this right may begin as early as March 1 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. F05 Right No. 67-2322 is also diverted through point of diversion described above.

Remarks:Comments:

1. mcase 5/12/2004 Period of Use
Comment: Licensed Period of Use shorter than Standard Season of Use. Recommend shoulder remark.
2. jdean 10/30/2006 Recommended as licensed
Comment: This claim was recommended as licensed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 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>
1.52	342	76
Combined Water Rights: 67-2322 , 67-7194		

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	4/8/2004 1:56:51 PM	mcase			Active
POD	4/8/2004 1:58:43 PM	mcase			Active
Source	4/8/2004 1:58:55 PM	mcase			Active
POU	4/8/2004 1:59:07 PM	mcase			Active
Use	4/8/2004 1:59:24 PM	mcase			Active
Season	4/8/2004 1:59:54 PM	mcase			Active
Quantity	4/8/2004 2:00:58 PM	mcase			Active
Season	5/12/2004 2:33:57 PM	mcase			Active
Contacts	10/30/2006 1:24:18 PM	jdean			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

Summary	10/30/2006	jdean	Active
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	10/30/2006 1:24:19 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
Summary	10/30/2006 1:28:30 PM	jdean	(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? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 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?
POU	2/25/2004 7:59:25 AM	awarntje	Edited shape boundary
POU	2/25/2004 8:01:44 AM	awarntje	Edited shape boundary
Season	5/12/2004 2:33:58 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (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?
POD	4/8/2004 1:58:14 PM	mcase	Edited point location
Use	4/8/2004 1:59:25 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

Season	4/8/2004 1:59:54 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 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?
Quantity	4/8/2004 2:00:59 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 338 AF.
POD	4/8/2004 1:58:44 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/8/2004 1:58:56 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/8/2004 1:59:08 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Priority Date	4/8/2004 1:56:51 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

Water Supply Bank:

POU Overlap Analysis 67-2322

Twp	Rng	Sec	Q-Q	Lot	Licenses			GIS Total	Claim			Rec		Total Per QQ
					67-2322	67-7194	Total		67-2322	67-7194	Total	67-2322	67-7194	
11N	06W	25	NENE		39	40	79.0	39.9	39	40	79.0	39	40	40
			NWNE		5	5	10.0	5.1	5	5	10.0	5	5	5
			SWNE		1		1.0	0.6	1		1.0	1		1
			SENE		26	30	56.0	30.4	26	30	56.0	26	30	30
					71.0	75.0	146.0	76.0	71.0	75.0	146.0	71.0	75.0	76.0

Right No:	Diversion	Volume	Irrigated Acres	CFS/ Acre	AFY/Acre
67-2322	1.42	319.5	71.0	0.020	4.5
67-7194	1.50	338	75.0	0.020	4.51
67-2322	1.42	319.5	71.0	0.020	4.5
67-7194	1.50	338.0	75.0	0.020	4.51
67-2322	1.420	319.5	71.0	0.020	4.5
67-7194	1.50	338.0	75.0	0.020	4.51

Combined use limits:

These rights when combined shall not exceed 76 acres.

These rights when combined shall not exceed 1.52 cfs nor 342 afy.

MEMORANDUM

Date: August 23, 2005

To: Sally Sherman

Cc: File

From: Craig L. Saxton

Re: Change of ownership for 67-2322 & 67-7149

Change of ownership received on August 19, 2003 from Boren to Freer. I reviewed the request and found the following.

67-2322 & 67-7149 were both licensed for 5 acres in the NWNE of section 25. Mr. and Ms. Freer own 5 acres in the NWNE of section 25. However, by looking at the claim map as well as the map provided in the licensing field exam, it is clear that the 5 acres licensed and claimed in this 40 acre tract, are not the 5 acres owned by Mr. and Ms. Freer.

In addition, there is no evidence that Boron ever owned the property described under claims 67-2322 and 67-7149.

Do not change ownership on either 67-2322 or 67-7149.

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: A67-07194
Date Received: 10/05/1989
Receipt No: M004827
Received By: LA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEE ROY J. EISENBARTH 208-549-2189
Address: 785 JENKINS CREEK RD.
WEISER, ID 83672
OR
Name: SALLY E. EISENBARTH 208-549-2189
Address: 785 JENKINS CREEK RD.
WEISER, ID 83672
2. Date of Priority: FEB 07, 1974
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	25	NE	NE			WASHINGTON
5. Description of diverting works:
DRILLED WELL & PUMP. SE REMARKS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		338.00
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 338.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	25	NE	NE		IRR	40.0
			NW	NE		IRR	5.0
			SE	NE		IRR	30.0
						Section Acres	75.0
						Total Acres	75.0

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:

22 ACRES COVERED BY GALLOWAY DITCH, A67-02322

14. Remarks:

TURBINE PUMP WITH 20 HP MOTOR PUMPING FROM 55' DEEP WELL.
DISCHARGE INTO OPEN DITCH USED IN ADDITION TO 5 HP TURBINE PUMP.

15. Basis of Claim: LICENSE

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: 5

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): Lee Roy J. Eisenbarth Date: Oct 5, 1989
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of October 19 89

Linda Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1994

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 7-7194
10-5-89

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lee Roy J. or Sally E. Eisenbarth Phone (208) 549-2189Mailing Address 785 Jenkins Creek Road weiser, Idaho Zip 836722. Date of Priority (Only one (1) per claim) February 7, 19743. Source of water supply (a) a ground water source
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 11 N Range 6 W Section 25,
NE 1/4 of NE 1/4 of _____ 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.

Turbine pump with 20 Hp motor pumping from 55' FT.
Deep well. Discharge into open ditch used in addition to
5 HP Turbine pump.

MICROFILMED

OCT 02 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from MARCH 15 to November 15 amount 1650 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 338 (acre feet)

8. Total consumptive use claimed is 338 acre feet per annum.

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

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	
<u>11N</u>	<u>6W</u>	<u>25</u>	<u>40</u>	<u>5</u>		<u>30</u>													<u>75</u>

Total number of acres irrigated 75

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.
WATER RIGHT No. 31749/67-2322 Priority February 28, 1964 or None ()

14. Remarks:

Last Name EisenbARTH Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant

OCT 02 1992

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 02 1992

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 67-7194
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Lee Roy J. Eisenbarth Date Oct. 3, 1989

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 _____ 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 _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 _____

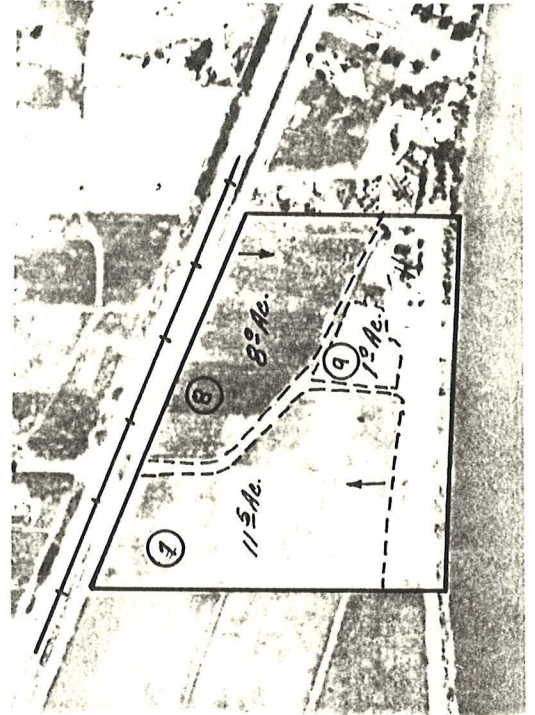
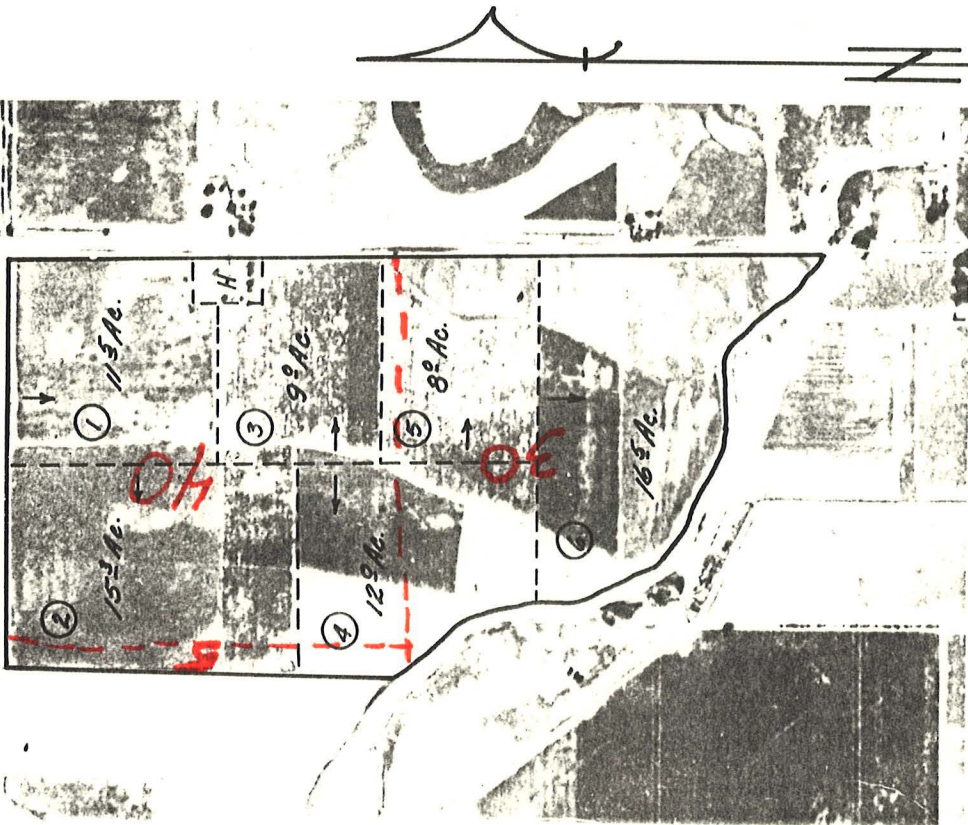
Date _____

Last Name EISENBARTH Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 02 1992

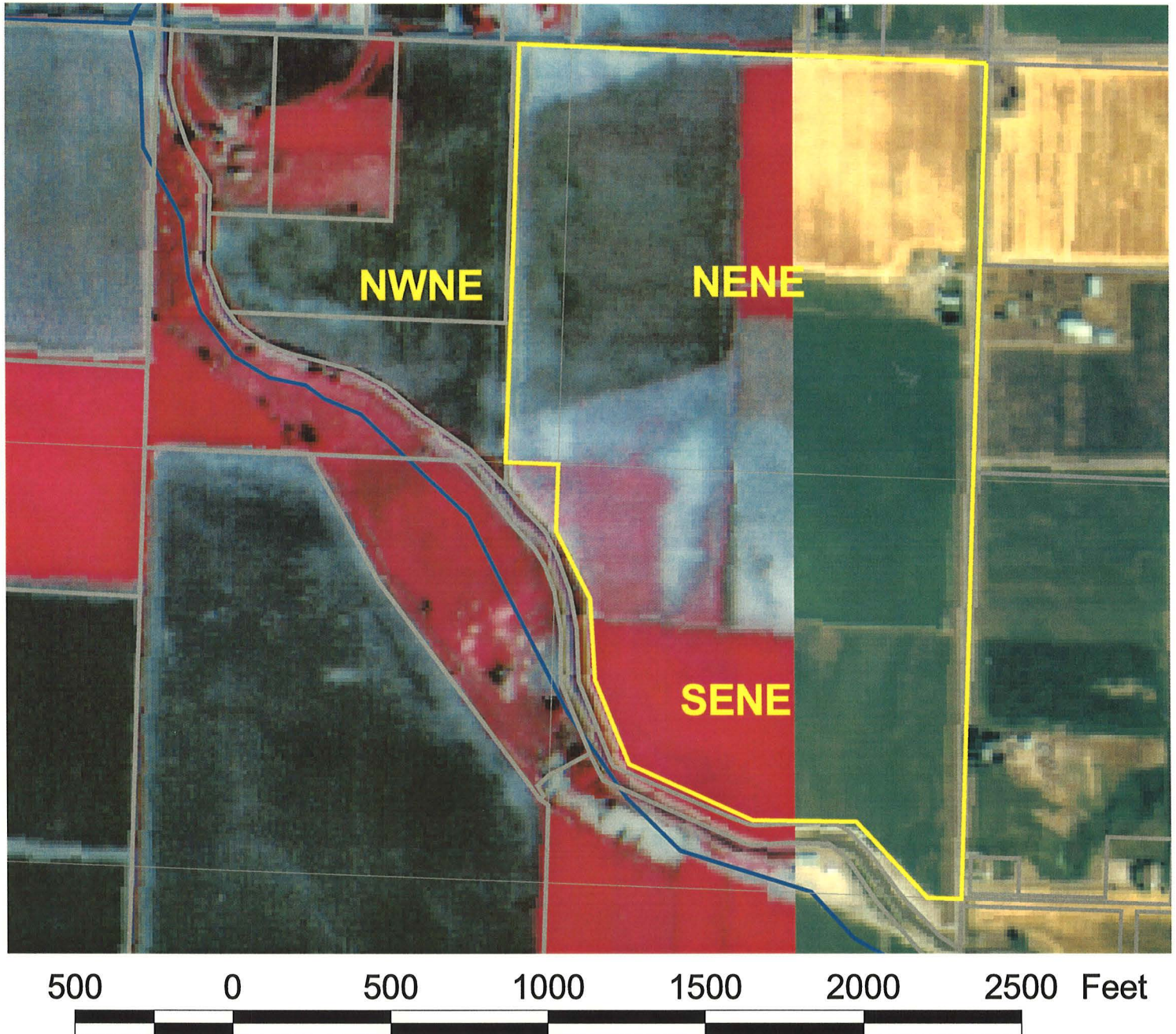
Ag 7. 7194

MICROFILMED
OCT 02 1992

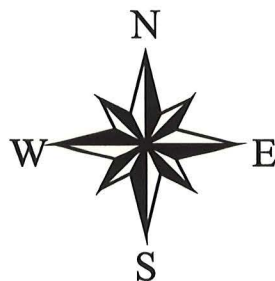


Idaho Department of Water Resources

67-7194



T11N, R06W, S25



Prepared by Anita L. Warntjes
February 25, 2004
1993/94 True Color Photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

WATER RIGHT NUMBER: 67-7194 V1

Owner Type Name and Address
 Current Owner LEE ROY J EISENBARTH
 785 JENKINS CREEK RD
 WEISER, ID 83672
 (208)549-2189
 Current Owner SALLY E EISENBARTH
 785 JENKINS CREEK RD
 WEISER, ID 83672
 (208)549-2189

Priority Date: 02/07/1974

Basis:

Status:

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	1.500 CFS	338.00 AF
<u>Total Diversion:</u>			1.500 CFS	338.00 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4 Sec. 25, Twp 11N, Rge 06W, B.M.
 WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	25	40.0	5.0	30.0		75.0

Total Acres: 75

Conditions of Approval:

Remarks:

Comments: *Period of Use Shorter Than Standard. Rec. Shouldn't Remark*

Dates and Other Information:

DRAFT

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7194 V1

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 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	4/8/2004 1:56:51 PM	mcas			
POD	4/8/2004 1:58:43 PM	mcas			
Source	4/8/2004 1:58:55 PM	mcas			
POU	4/8/2004 1:59:07 PM	mcas			
Use	4/8/2004 1:59:24 PM	mcas			
Season	4/8/2004 1:59:54 PM	mcas			
Quantity	4/8/2004 2:00:58 PM	mcas			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/25/2004 7:59:25 AM	awarnje	Edited shape boundary
POU	2/25/2004 8:01:44 AM	awarnje	Edited shape boundary
POD	4/8/2004 1:58:14 PM	mcas	Edited point location
Use	4/8/2004 1:59:25 PM	mcas	(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?
Season	4/8/2004 1:59:54 PM	mcas	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 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?

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7194 Priority February 7, 1974 Amount 1.50 cfs

THIS IS TO CERTIFY, that Lee Roy J. Eisenbarth
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7194 issued pursuant to Application for Permit dated February 7, 1974,
and has submitted proof to the Department of Water Resources on April 25, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.83 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>1.50</u> cfs and <u>338</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
338 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 11N,
Rge. 6W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11N	6W	25	40	5		30									75

Total number of acres irrigated 75

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
March, 19 79.

Deputy Director

MICROFILMED

State of Idaho
Department of Water Resources

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	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
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aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
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Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11N	6W	25	40			30									75

Total number of acres irrigated 75

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Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
March, 19 79.

Deputy Director

MICROFILMED

1. Name of permit holder Lee Roy J. Eisenbarth
Post office address Route 1, Box 178, Weiser, ID 83672 Phone 549-2189
Person to contact _____ Phone _____

- 1.60

Department of Justice
Western Regional Office

Other uses:

- 1.60

Other Points of Diversions:

Measuring device required: yes ☒ no ☐

- [illegible]

TOTAL ACREAGE

80

Permit No. b/-/194
Examination for b/u

MICROFILMED

DATE OF EXAM 5/27/77

ACREAGE
Found 75
Recommended 75

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 1.50 c.f.s. V = 337.5 ³³⁸ AF/Ann. from Mar. 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.83 cfs Method of measurement drift plate - piezotube

Total Q recommended 1.50 cfs Meter No. NONE Type surface Condition good

Total V recommended 337.5 ³³⁸ AcFeet

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
5" drift plate on 6" discharge pipe with 44" of water in piezometer
tube. = 920 gpm = 1.83 cfs

$75A \times 4.5 \text{ AF/Ac} = 337.5 \text{ AF/y}$
 $245 \text{ day} \times 24 \text{ hr} \times 60 \text{ min} \times \frac{1}{60} \text{ hr} \times \frac{1}{60} \text{ min} = 3259009 \text{ min} = 887.7 \text{ AF}$

SYSTEM DESCRIPTION:
Well with 12" casing and GE motor, model # 5K6236xH4B, 20 h.p.
powering a submersible pump. Discharge through 6" line with
5" drift plate into concrete box. From concrete box through
ditches to fields which are flood irrigated

REMARKS:

Examiner's Signature William H. McAllister Date 5/27/77

Checked by 122 Date 6-6-77

Approved by _____ Date _____

Encl. recd 5/27/77 8:00

P.D. NENE sec. 25

G.E. Induction Motor model # 5K6236X H4B
20 h.p.

on submersible pump in 12" cased well

.41 ft orifice

.62 od. discharge into concrete box
flood irrigation

44" high piezotube measurement

12
.41
12
82
41
5 = .492
in