

MAILED FROM ZIP CODE 53211

RECEIVED

32

DEPARTMENT OF
WATER RESOURCES

NOE

WR # 67-14696

✓ to C/O "Happer" completed ✓ ~~Good~~

LINDA ERKES

WAYNE ERKES
1823 JONES RD

WEISER ID 83672

SCANNED

FFR 27 2007

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



FIRST CLASS

RECEIVED
JAN 21 2007
DEPARTMENT OF
WATER RESOURCES

NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

WAYNE ERKES

LINDA ERKES
1823 JONES RD.
WEISER ID 83722

Director's Report
WR # 67-14696

SCANNED

MAR 13 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14696 V1

WATER RIGHT NUMBER: 67-14696 V1

Owner Type Name and Address

Current Owner RODNEY D HEPPER
1823 JONES RD
WEISER, ID 83672
(208) 549-2536

Current Owner SUE HEPPER
1823 JONES RD
WEISER, ID 83672

Directors Report Owner WAYNE ERKES
1823 JONES RD
WEISER, ID 83672
(208)549-3109

Directors Report Owner J E INGALLS
ID

Directors Report Owner LINDA ERKES
1823 JONES RD
WEISER, ID 83672
(208)549-3109

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

Source

MANN CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

1.360 CFS

Annual VolumeTotal Diversion: 1.360 CFSLocation of Point(s) of Diversion

MANN CREEK

NW1/4NE1/4NE1/4

Sec. 25, Twp 12N, Rge 05W, B.M.

WASHINGTON County

MANN CREEK

NE1/4NW1/4SW1/4

Sec. 31, Twp 12N, Rge 04W, B.M.

WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	04W	6	15.5	25.5	27.0	68.0	

Total Acres: 68

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14696 V1

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 only to all rights identified as Primary Rights on Mann Creek.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. dnarsavage 3/29/2006 Claim history
Comment: Claim was renumbered from 67-557 due to another claim to that decreed right.

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 26, 2006

ROD AND SUE HEPPER
1823 JONES RD
WEISER ID 83672

RESPONSE DEADLINE
November 10, 2006

RE: Change of ownership for SRBA claim 67-14696

Dear Claimants:

We recently received the change of ownership form you completed for SRBA claim 67-14696. In processing your change of ownership, I noticed something odd about the deed you sent. Please take note of maps 1 and 2 included in this mailing. The highlighted area in map 1 is the area mentioned in the warranty deed for the change of ownership you sent, and is listed under your names as owners in the Washington County taxlots. The highlighted area in map 2 is also listed under your names as owners in the Washington County taxlots and the acreage in map 2 is also included in the claimed place of use (POU) for SRBA claim 67-14696.

I hesitate to complete a change of ownership because it would split up the claim, where a small portion of 67-14696 would be recommended under your name, and the rest would be recommended under Rob & Linda Ekles. Regardless, water rights would be recommended to the property, but since all the land under 67-14696 appears to be owned by you, it would be much easier to change the ownership of the claim in its entirety.

Please call me at (208) 287-4907 so we can discuss the claim and how to complete the change of ownership. If you have a warranty deed for the property highlighted in map 2, please sent it to me at the above address as soon as possible.

Respectfully submitted,

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

*Sen + 10-26-2006
MLB*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14696 V1

WATER RIGHT NUMBER: 67-14696 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY D HEPPER 1823 JONES RD WEISER, ID 83672 (208) 549-2536
Current Owner	SUE HEPPER 1823 JONES RD WEISER, ID 83672 (208)549-2536
Directors Report Owner	WAYNE ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109
Original Owner	J E INGALLS , ID
Directors Report Owner	LINDA ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.360 CFS	
	<u>Total Diversion:</u>	1.360 CFS	

Location of Point(s) of Diversion

MANN CREEK	NW1/4NE1/4NE1/4	Sec. 25, Twp 12N, Rge 05W, B.M.
WASHINGTON County		
MANN CREEK	NE1/4NW1/4SW1/4	Sec. 31, Twp 12N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	04W	6	NE	NW	SW	SE	15.5
			NE	NW	SW	SE	25.5
			NE	NW	SW	SE	27.0
			NE	NW	SW	SE	68.0

Total Acres: 68

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14696 V1

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 only to all rights identified as Primary Rights on Mann Creek.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. dnarsavage 3/29/2006 Claim history

Comment: Claim was renumbered from 67-557 due to another claim to that decreed right.

Water Supply Bank:

190328
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JAN 29 2007

DEPARTMENT OF
WATER RESOURCES

EXHIBIT "A"

IN TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

Section 6: (E $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, with a permanent easement of right of way for ingress and egress to and from the above described property, described as: 95.52 ACRES)

Beginning at the southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 6;
thence North approximately 660 feet to the existing road;
thence East 30 feet;
thence South approximately 660 feet to the South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec.6;
thence West 30 feet to the point of beginning.

SAVE AND EXCEPT:

(A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 11 North, Range 4 West of the Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, Twp. 11 N., R. 4 W., B.M.;

Thence North along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 200 feet to the True Point of Beginning;

Thence East parallel with the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 300 feet;

Thence North parallel with the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 650 feet;

Thence West parallel with the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 300 feet to a point on the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 650 feet to the True Point of Beginning.

(4.47 ACRES)

2/02/2006
14:09:19

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS
PMB001
ALPHA ROLL

PAGE 1078

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JAN 29 2007
DEPARTMENT OF
NATURAL RESOURCES

** PARCEL KEY **
TYPE PARCEL NO STATUS
CODE OLD PARCEL NO
MAP NUMBER

NAME/ADDRESS

LEGAL DESCRIPTION

CAT

QUANTITY UNIT

MARKET

REVIEW
YEAR

169583REAL
169067
163123
148711

PROPERTY ADDR:

896

W GALLOWAY

83672

.253 **

79,240 *** *HO*

TYPE: 1A LOCATION: 3023 CAMA AREA #: 1
DEED CHANGE DATE: 1997/06/05
INSP YR: 2002

P 11N04W317330 A
049-0000 RP002840

HENSON, RAYMOND
A 630 UNITY LN
WEISER

ID 83672

TN-6 TN-7 S31T11R4
37.62 ACRES

1 33.620 AC
10 1.000 AC
19 3.000 AC
32
48

19,200 2004
9,600 2004
2004
13,900 2004
67,110 2004

11N04WQ9
185654
185653
178570
174283REAL
C/S

PROPERTY ADDR:

630

UNITY LN

83672

37.620 **

109,810 *** *HO*

TYPE: LOCATION: 5075 CAMA AREA #: 1
DEED CHANGE DATE: 2002/04/03
INSP YR: 2004

RP 11N04W325250 A HENSON, RAYMOND
049-0000 RP11N04W324840T 630 UNITY LN
WEISER

ID 83672

ALL TN-3 N OF RR ROW & S OF
WEISER IRRIG CANAL; 17 AC OF
NWNWSW; N 8.79 AC OF W1/2SWSW;
S32T11R4; 43.50 AC

1 42.500 AC
19 1.000 AC

24,280 2004
2004

11N04WQ9
185654
185653
178570
178553C/S
/S SPLIT

PROPERTY ADDR:

43.500 **

24,280 ***

TYPE: LOCATION: 5075 CAMA AREA #: 1
DEED CHANGE DATE: 2002/04/03
INSP YR: 2004

RP 11N04W064510 A HEPPER, RODNEY D
047-0000 RP11N04W064500T HEPPER, MARGARET S
1823 JONES RD

ID 83672

E1/2SW; S1/2SENW; EXCEPT
TRACT IN NESW; S6T11R4;
95.52 ACRES

1 65.000 AC
3 5.000 AC
5 24.520 AC
19 1.000 AC
32

59,150 2005
3,400 2005
720 2005
2005
1,680 2005

11N04WQ3
193337 WD
190328
189591
168789SPLT

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MAY 09 2006

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED

MAY 01 2006

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

AJ 67-146896 - okay to change MVB 1-30-2007

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Danny & Linda Skeen

4. New Owner/Claimant(s)

Rod or Sue Hepper

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1823 Jones Rd

City, State and ZIP Code

Weiser Id 83672

New Telephone Number

(208) 549-2536

5. Date you acquired the property

7-26-2003

NCAP
preparing
2-9-07

SCANNED

OCT 17 2006

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Rodney D. Hepper
Margaret S. Hepper

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by de by SIA Date 2-5-07 WR _____ Date _____

Amerititle

After recording return to:

RODNEY D. HEPPER
431 JACOBSEN GULCH ROAD
ONTARIO, OR 97914

Until a change is requested all
tax statements shall be sent to
the following address:

RODNEY D. HEPPER
431 JACOBSEN GULCH ROAD
ONTARIO, OR 97914

Escrow No. ONM02304

Title No. W10094

Instrument # 190326

WEISER, WASHINGTON, IDAHO
2003-07-14 03:26:00 No. of Pages: 2
Recorded for: AMERITITLE
SHARON WIDNER Fee: 6.00
Ex-Officio Recorder Deputy *Lisa McKnight*
Index to: DEED

Instrument # 193336

WEISER, WASHINGTON, IDAHO
2004-04-07 03:05:00 No. of Pages: 2
Recorded for: AMERITITLE
SHARON WIDNER Fee: 6.00
Ex-Officio Recorder Deputy *Lisa McKnight*
Index to: DEED

WARRANTY DEED

DANNY R. SKEEN and LINDA M. SKEEN, husband and wife,
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
RODNEY D. HEPPER and MARGARET S. HEPPER, husband and wife
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of WASHINGTON and State of Oregon, to wit:
SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
11N04W0651000 IDAHO

Grantor is lawfully seized in fee simple on the above granted premises, SUBJECT
TO: all those items of record if any, as of the date of this deed and those
shown below, if any:

and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$ 150,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT
IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY
SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY
APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

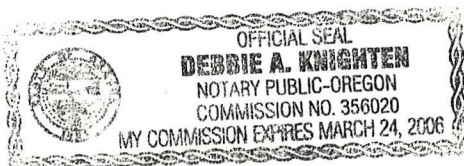
Dated this 11 day of July, 2003

Danny R. Skeen
DANNY R. SKEEN

Linda M. Skeen
LINDA M. SKEEN

State of Oregon
County of MALHEUR

This instrument was acknowledged before me on July 11 2003 by DANNY
R. SKEEN AND LINDA M. SKEEN.



Debbie A. Knighten
(Notary Public for Oregon)
My commission expires 3-24-06

SCANNED
OCT 17 2006

EXHIBIT "A"

A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 11 North, Range 4 West of the Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, Twp. 11 N., R. 4 W., B.M.;

Thence North along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 200 feet to the True Point of Beginning;

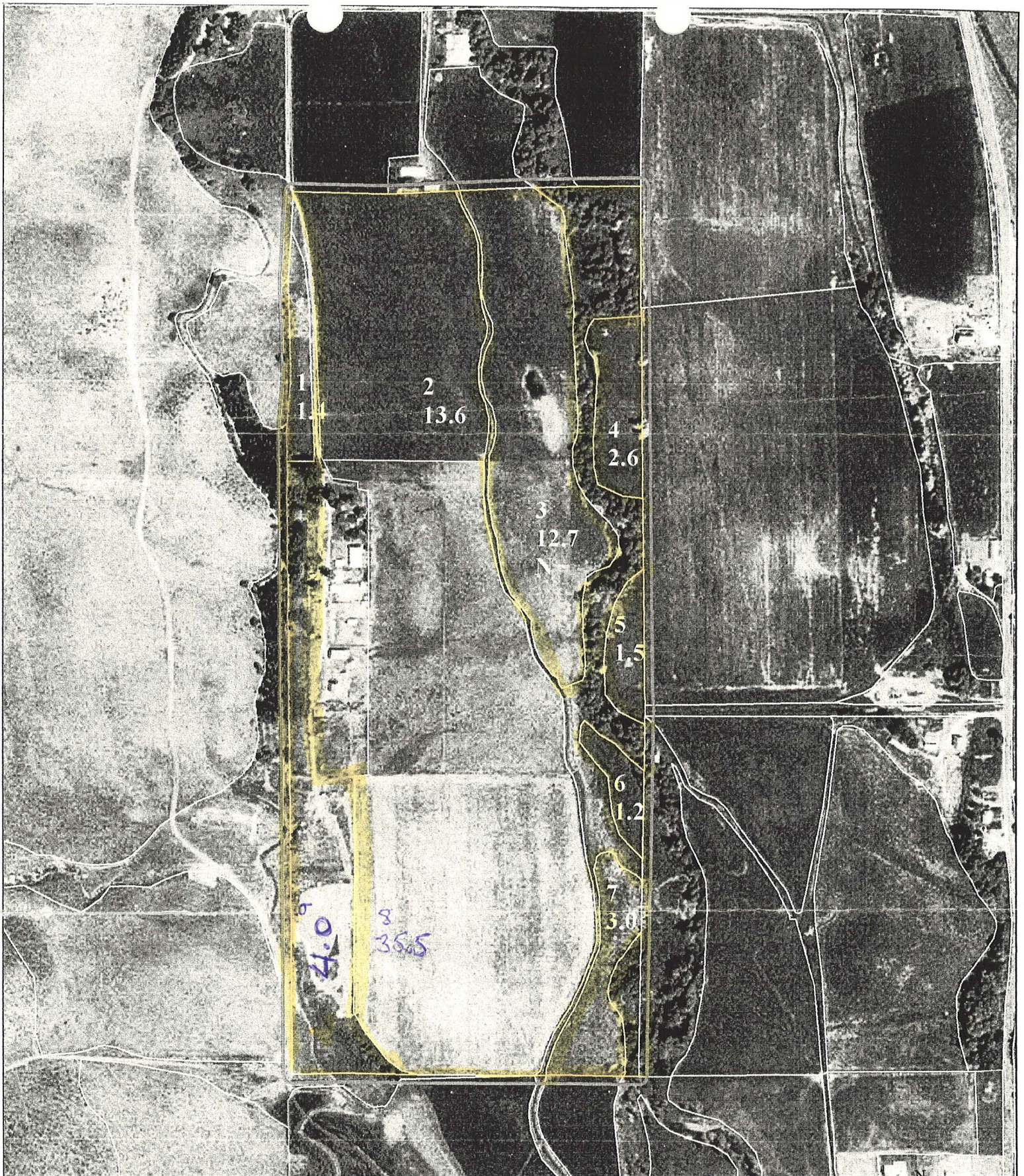
Thence East parallel with the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 300 feet;

Thence North parallel with the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 650 feet;

Thence West parallel with the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 300 feet to a point on the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 650 feet to the True Point of Beginning.

Together with an ingress and egress easement on, over and across an existing 30 foot wide road extending Northerly across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 6 to the County Road.



Map of Washington Farm 453
Tract 754



SCANNED

OCT 17 2006

Map Printed: Mar 16, 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 2, 2006

ROD AND SUE HEPPER
1823 JONES RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Change in Water Right Ownership
Notice of Claim to a Water Right #67-14696

Dear Claimants,

I am returning the Notice of Change in Water Right Ownership you filed for your property in Washington County. Before we can process the ownership change, we need your assistance.

The signature(s) at Item #7 are missing. After you sign the form, please return the form to my attention as soon as possible.

Call me at 800/451-4129 if you have questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Incomplete Notice of Change in Water Right Ownership

SCANNED
MAY - 3 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2006

RODNEY D HEPPER
1823 JONES RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14696

Dear Mr. Hepper:

We have been notified you may be the current owner of the property and water right claim referenced above. Before we can change our records to reflect your ownership, we require the enclosed Notice of Change in Water Right Ownership form to be completed and returned.

Since this claim is still pending before the SRBA Court, there is no fee to change the ownership.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:DLN

Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

MAR 27 2006

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 67-14696
Date Received: 1/23/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LINDA ERKES Phone: (208)549-3109

1823 JONES RD
WEISER ID USA 83672

WAYNE ERKES Phone: (208)549-3109

1823 JONES RD
WEISER ID USA 83672

2. Date of Priority: 04/01/1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	25	NW NE NE	WASHINGTON	
12N	04W	31	NE NW SW	WASHINGTON	

5. Description of diverting works:

Carried in the Hanna Ditch or the Wishart Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2	

7. Total Quantity Appropriated is:

0.2 C.F.S. and/or 350 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	04W	6	SE	NW	IRRIGATION	20
			NE	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	100
					Total Acres	100

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SECONDARY RIGHT.
WATER CARRIED IN THE HANNAH DITCH FOR 78 ACRES AND WISHART DITCH FOR 5 ACRES.
FLOOD WATER DIVERSION 2.0CFS. AC. IRRIG ACRES = 100

This right is a split from former right 67-557 .

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

RECEIVED

150⁰⁰

OCT 16 1989

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

Department of Water Resources

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: A67-00557
Date Received: 10-16-89
Receipt No: C012252
Received By: D. Keathley
DE/AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE ERKES 208-549-3109
Address: 1823 JONES RD.
WEISER, ID 83672

AND/OR
Name: LINDA ERKES 208-549-3109
Address: 1823 JONES RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1880

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	04W	31	NE	NW	SW		WASHINGTON
	05W	25	NW	NE	NE		WASHINGTON

5. Description of diverting works:
CARRIED IN HANNA DITCH OR THE WISHART DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A67-00557

Page 1

Date: 10/10/89

SCANNED
APR 06 2004

MICROFILMED
OCT 01 1992

1

Section Acres 100.0

Total Acres 100.0

12. Do you own the property listed above as place of use? YES

14. Remarks:

WATER CARRIED IN THE HANNAH DITCH FOR 78 ACRES AND WISHART DITCH FOR 5 ACRES.

FLOOD WATER DIVERSION 2.0CFS. AC. IRRIG ACRES = 100

Case Number:

Court :

Decree date:

Decree Plaintiff

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): X Wayne Erbe Date: 10-10-89

Date: _____

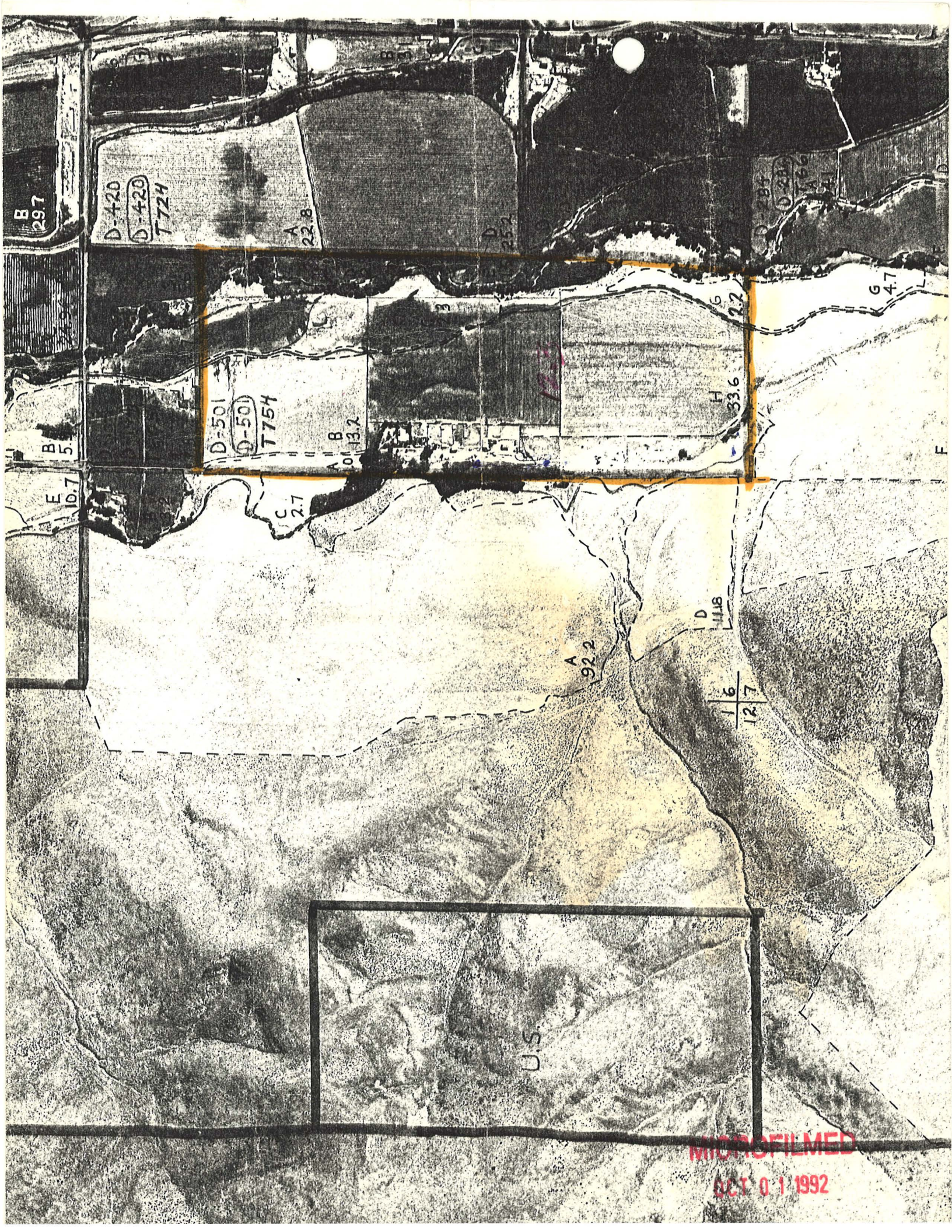
State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of October 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994



MICROFILMED

OCT 01 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

E RKE

CLAI. DENT. NO.

A67 00557

DATE RECEIVED

10/16/89

CK #

CA12252

AMOUNT \$

150⁰⁰

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by:

B

Date:

5/18/90

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

MICROFILMED

OCT 01 1992

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

WATER RIGHT NUMBER: 67-557 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109
Original Owner	J E INGALLS , ID
Current Owner	LINDA ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109

Priority Date: 04/01/1880

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	1.300 CFS	
	<u>Total Diversion:</u>	1.300 CFS	

Location of Point(s) of Diversion

MANNS CREEK	NW1/4NE1/4NE1/4	Sec. 25, Twp 12N, Rge 05W, B.M.
WASHINGTON County		
MANNS CREEK	NE1/4NW1/4SW1/4	Sec. 31, Twp 12N, Rge 04W, 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	04W	6									15.5	25.5						27.0	68.0

Total Acres: 68

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

1. 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.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. mcase 5/26/2004 Quantity

Comment: The decreed quantity is 2 cfs. The claimed quantity is 2 cfs. The water rights file quantity is 1.4 cfs. I recommended the decreed quantity. Could not determine recommended volume.

2. dnarsavage 10/4/2005 Quantity & Div Rate

Comment: The decree gave 100" (at 1"/acre) to this right, and described 120 acres for the POU. However another right was decreed to the northernmost 20 acres. Within the remaining 100 acres are streams, ditches, and other unirrigable areas. 100" cannot be recommended and probably should not have been decreed.

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: AND
 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	5/26/2004 1:08:05 PM	mcase			Active
Source	5/26/2004 1:08:17 PM	mcase			Active
POU	5/26/2004 1:17:48 PM	mcase			Active
Use	5/26/2004 1:18:00 PM	mcase			Active
Season	5/26/2004 1:18:38 PM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

Quantity	5/26/2004 1:25:17 PM	mcase	Active
Priority Date	11/29/2005 3:13:25 PM	dnarsavage	Active
POD	11/29/2005 3:15:07 PM	dnarsavage	Active
Source	11/29/2005 3:17:28 PM	dnarsavage	Active
POU	11/29/2005 3:18:06 PM	dnarsavage	Active
Season	11/29/2005 3:18:48 PM	dnarsavage	Active
Quantity	11/29/2005 3:19:17 PM	dnarsavage	Active
Summary	11/29/2005	dnarsavage	Active
Use	11/29/2005 3:20:33 PM	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	11/29/2005 3:17:29 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/29/2005 3:18:07 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	11/29/2005 3:20:33 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
General	11/29/2005 3:13:25 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

Season	11/29/2005 3:18:49 PM	dnarsavage	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/29/2005 3:19:17 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
POD	11/29/2005 3:15:07 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Addition of Shinkle Wishart Ditch as a POD in addition to the Hannah Ditch

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

Summary	11/29/2005 3:20:27 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Quantity	5/26/2004 1:25:17 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? (No) 8. Does the parent right have an annual diversion volume limit?
POU	10/4/2005 8:57:21 AM	dnarsavage	Updated shape for Active POU
POU	10/4/2005 8:57:44 AM	dnarsavage	Updated PLS for Active POU
POU	10/4/2005 8:57:32 AM	dnarsavage	Edited Season Of Use
POD	10/4/2005 9:14:01 AM	dnarsavage	Updated shape
POD	10/4/2005 9:16:00 AM	dnarsavage	Updated shape
Source	5/26/2004 1:08:16 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	5/26/2004 1:11:27 PM	mcase	Edited shape boundary
Priority Date	5/26/2004 1:08:04 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?
POU	5/26/2004 1:17:47 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-557 V1

Use	5/26/2004 1:18:00 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?
Season	5/26/2004 1:18:37 PM	mcase	(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?
POU	1/24/2006 12:34:25 PM	dnarsavage	Updated shape for Active POU

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 67-557

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: As DECREE
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____.

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

INCLUDE CHANGE IN POD

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount 1.36 CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

SEE MAP & RECOMMENDATION

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☒ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 1/24/06

FIELD EXAMINER: CRAIG L. SAXTON DLN
Print Name

[Signature]
Signature



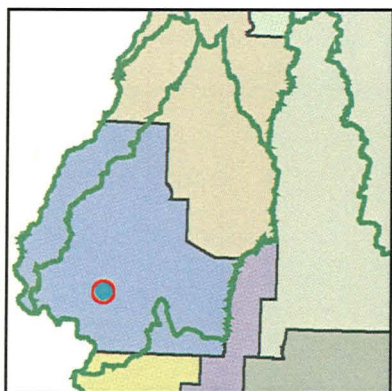
Idaho Department of Water Resources

Adjudication Claim Number: **67-557**

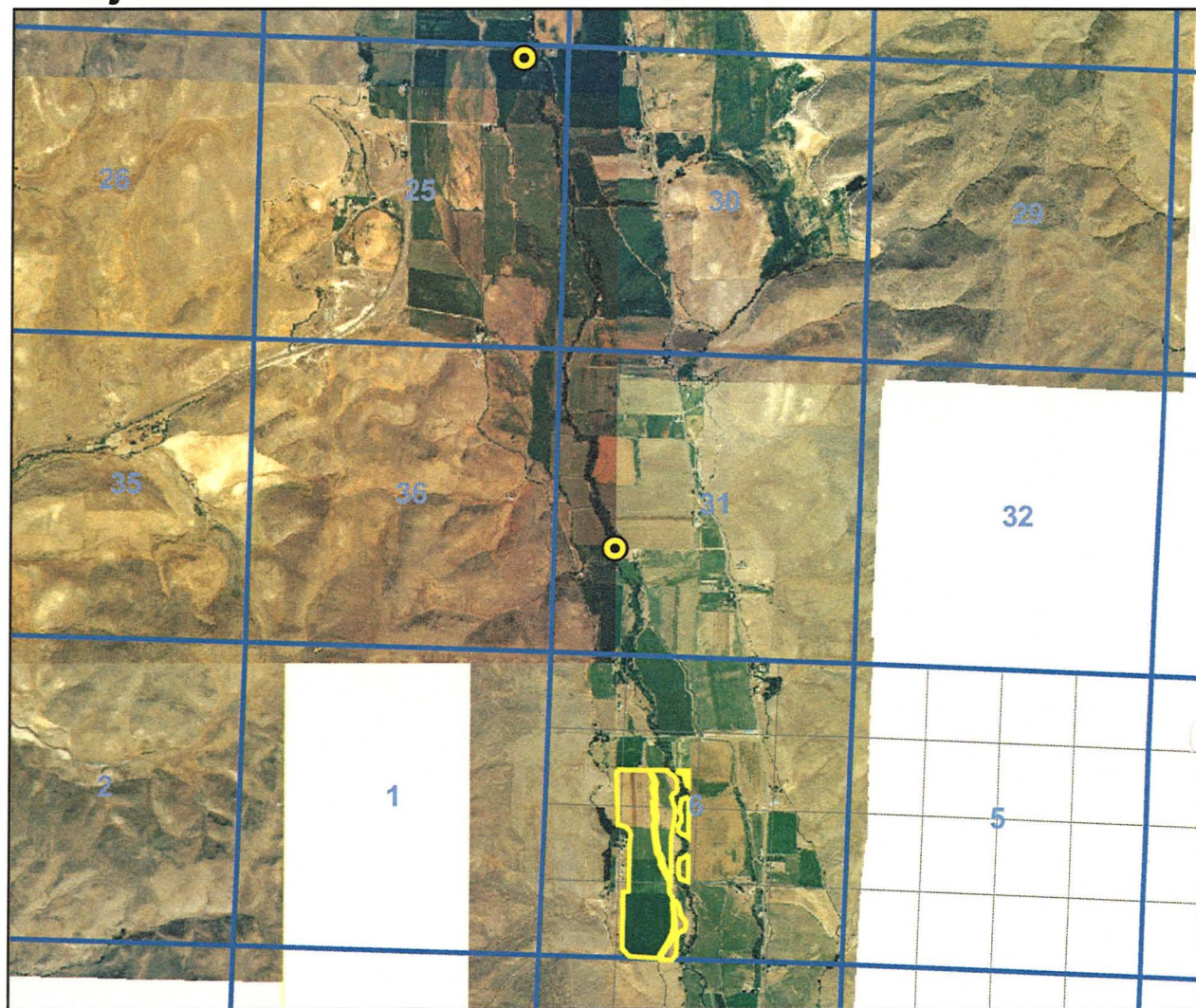
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Legend

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



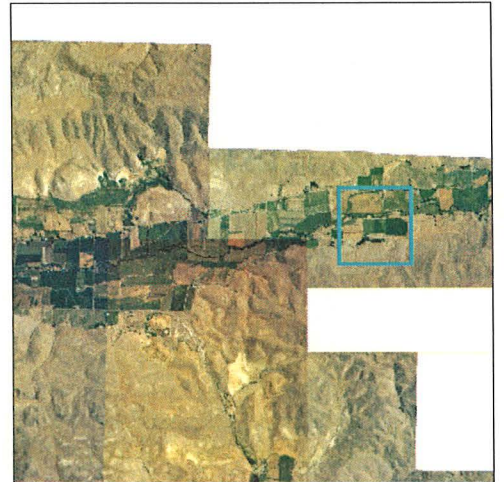
Washington County
IDWR Basin 67



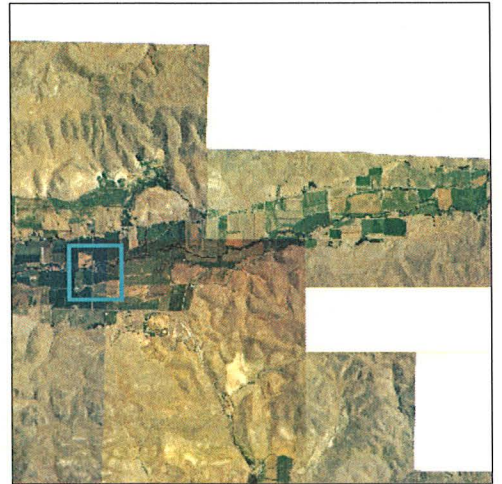
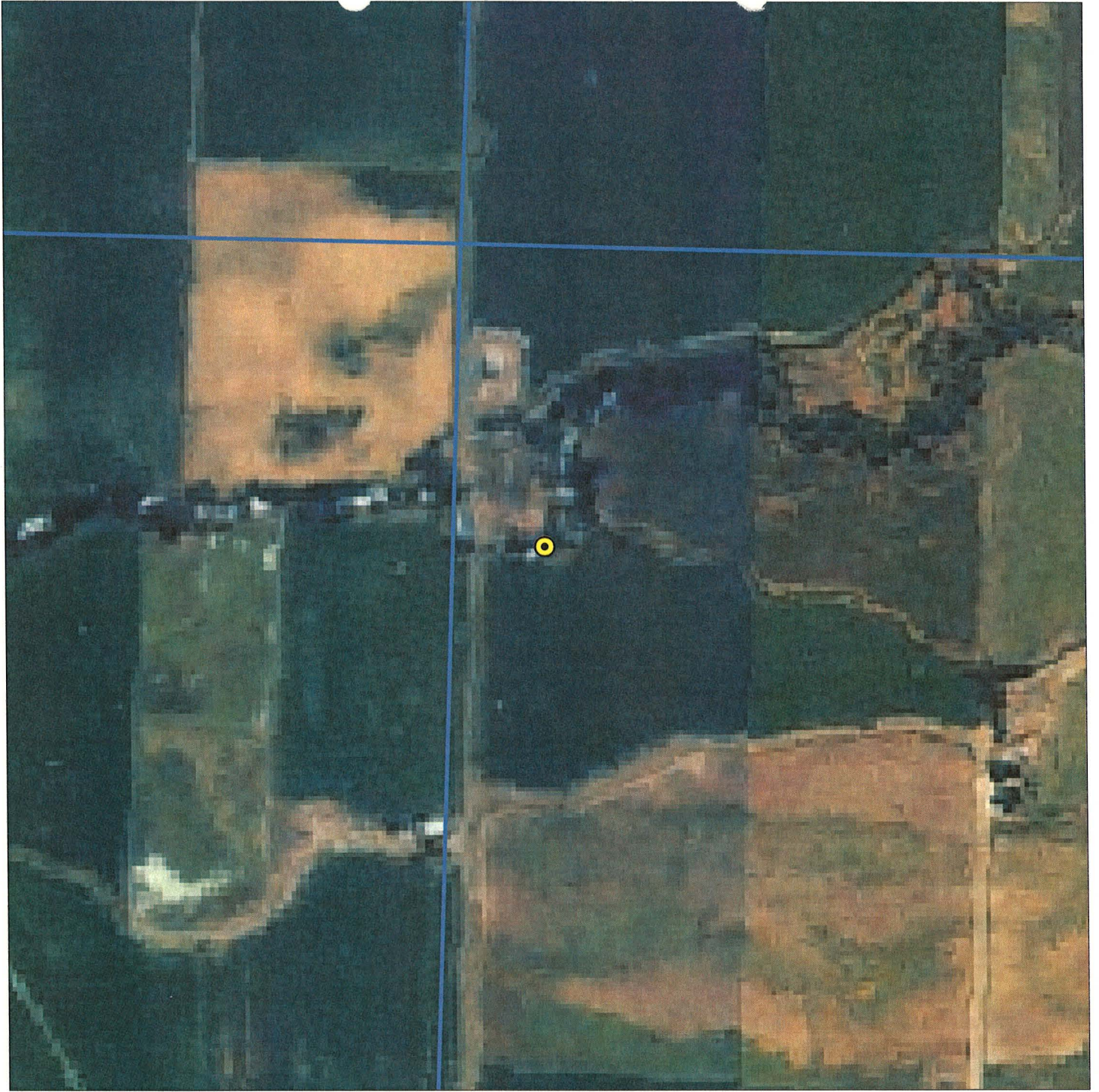
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Prepared by D. Narsavage
On Tuesday, January 24, 2006
1987/88 Aerial Photography

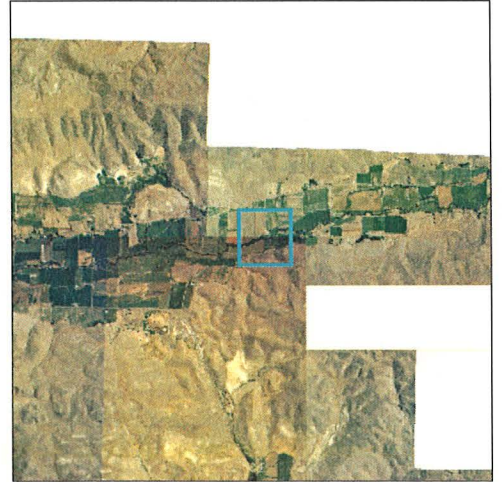
Rec67-557



Rec67-557



Rec67-557



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14696 V1

WATER RIGHT NUMBER: 67-14696 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109
Original Owner	J E INGALLS , ID
Current Owner	LINDA ERKES 1823 JONES RD WEISER, ID 83672 (208)549-3109

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.360 CFS	
	<u>Total Diversion:</u>	1.360 CFS	

Location of Point(s) of Diversion

MANN CREEK	NW1/4NE1/4NE1/4	Sec. 25, Twp 12N, Rge 05W, B.M.
WASHINGTON County		
MANN CREEK	NE1/4NW1/4SW1/4	Sec. 31, Twp 12N, Rge 04W, 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	04W	6									15.5	25.5							27.0				68.0

Total Acres: 68

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14696 V1

1. 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.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 168 This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate to all Primary Rights on Mann Creek.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 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	3/29/2006 11:44:55 AM	dnarsavage			Active
POD	3/29/2006 11:50:01 AM	dnarsavage			Active
Source	3/29/2006 11:52:06 AM	dnarsavage			Active
POU	3/29/2006 11:52:28 AM	dnarsavage			Active
Use	3/29/2006 12:21:09 PM	dnarsavage			Active
Season	3/29/2006 12:21:49 PM	dnarsavage			Active
Quantity	3/29/2006 12:23:20 PM	dnarsavage			Active
Summary			03/29/2006	dnarsavage	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14696 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	3/29/2006 11:52:07 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Use	3/29/2006 12:21:09 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	3/29/2006 11:52:29 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
General	3/29/2006 11:44:55 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POD	3/29/2006 11:51:49 AM	dnarsavage	Updated shape
Season	3/29/2006 12:21:49 PM	dnarsavage	(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? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

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Quantity	3/29/2006 12:23:21 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	3/29/2006 12:24:21 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	3/29/2006 11:50:54 AM	dnarsavage	Updated shape
POU	3/29/2006 11:53:20 AM	dnarsavage	Updated shape for Active POU
POD	3/29/2006 11:50:02 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Decreed out of Hannah Ditch. Some delivery currently out of Wishart Ditch.

Water Supply Bank:



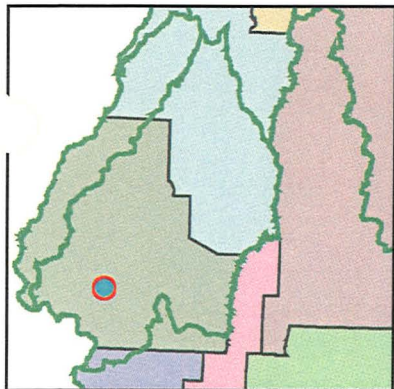
Idaho Department of Water Resources

Adjudication Claim:

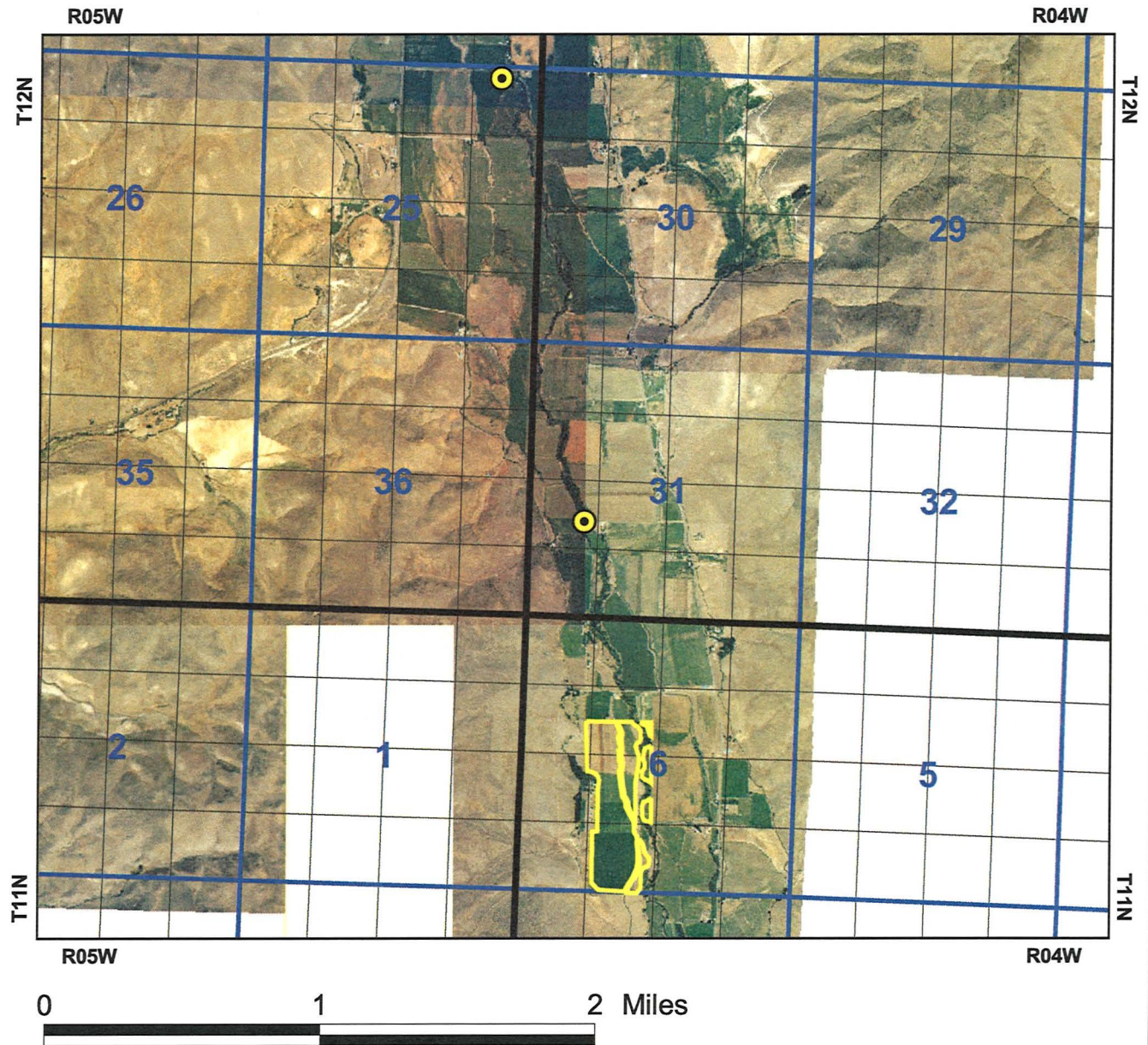
67-14696

Legend

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



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, March 30, 2006
1987/88 Aerial Photography

67-14696

