

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14776 V1

WATER RIGHT NUMBER: 67-14776 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                        |
|-------------------|--------------------------------------------------------------------------------|
| Original Owner    | DONNA K ELSE<br>1351 MANN CREEK RD<br>WEISER, ID 83672<br>(208)549-1090        |
| Original Owner    | RAYMOND LEE ELSE<br>1351 MANN CREEK RD<br>WEISER, ID 83672<br>(208)549-1090    |
| Original Owner    | JOHNSON BRYANT EQUIPMENT CO<br>PO BOX 135<br>WEISER, ID 83672<br>(208)549-0418 |
| Original Owner    | ALEXANDER CARLSON<br><br>, ID                                                  |
| Current Owner     | CAROLYN A FOLKE<br>PO BOX 100<br>PAYETTE, ID 83661-0100<br>(208)642-1417       |
| Current Owner     | TIMOTHY S FOLKE<br>PO BOX 100<br>PAYETTE, ID 83661-0100<br>(208)642-1417       |

Priority Date: 06/01/1874

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          | 0.030 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.030 CFS             |                      |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| MANN CREEK        | SE1/4SE1/4NE1/4 | Sec. 11, Twp 12N, Rge 05W, B.M. |
| WASHINGTON County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |     | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  | NE | NW | SW | SE |        |
| 12N | 04W | 30  |    |    |    |    |    |    |    |    |    |    |    | 2.0 |    |    |    |    | 2.0    |

Total Acres: 2

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Total Acres: 2

Conditions of Approval:

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. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.
3. 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 9/1/2006 Quantity

Comment: Claimant claimed the low water quantity rather than the full amount, but mentioned the full inch per acre in the remarks, so I will use this to recommend the full right.

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number: 67  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 9/1/2006 1:43:26 PM       | dnarsavage      |                           |                 | Active        |
| POD            | 9/1/2006 1:43:46 PM       | dnarsavage      |                           |                 | Active        |
| Source         | 9/1/2006 1:44:39 PM       | dnarsavage      |                           |                 | Active        |
| POU            | 9/1/2006 1:44:49 PM       | dnarsavage      |                           |                 | Active        |
| Use            | 9/1/2006 1:57:39 PM       | dnarsavage      |                           |                 | Active        |
| Season         | 9/1/2006 1:58:04 PM       | dnarsavage      |                           |                 | Active        |

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|          |                     |            |        |
|----------|---------------------|------------|--------|
| Quantity | 9/1/2006 2:01:45 PM | dnarsavage | Active |
| Summary  | 09/01/2006          | dnarsavage | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 9/1/2006 1:45:52 PM    | dnarsavage      | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POU            | 9/1/2006 1:46:00 PM    | dnarsavage      | Edited Season Of Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Use            | 9/1/2006 1:57:39 PM    | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                 |
| Season         | 9/1/2006 1:58:04 PM    | dnarsavage      | (Yes) 1. Is the basis of claim Decree or License?<br>(No) 4. Does the Decree or License have a Period of Use?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(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?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required? |
| POD            | 9/1/2006 1:43:46 PM    | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                  |
| General        | 9/1/2006 1:43:27 PM    | dnarsavage      | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(Yes) 16. Is a Priority Date remark and/or condition required?                                                                                                                                           |
| POD            | 9/1/2006 1:44:16 PM    | dnarsavage      | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|          |                     |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|---------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 9/1/2006 1:44:39 PM | dnarsavage | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                       |
| POU      | 9/1/2006 1:44:49 PM | dnarsavage | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                       |
| Quantity | 9/1/2006 2:01:46 PM | dnarsavage | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(No) 8. Does the parent right have an annual diversion volume limit?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(Yes) 12. Is a Quantity remark or condition required?                                                           |
| Summary  | 9/1/2006 2:02:51 PM | dnarsavage | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:



# Idaho Department of Water Resources

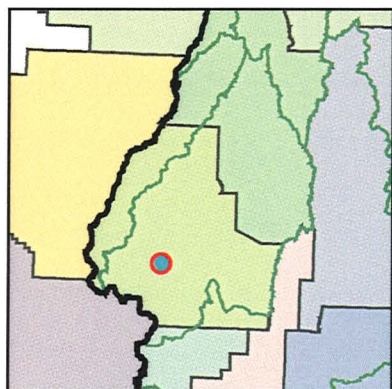
SRBA Recommendation:

**67-14776**

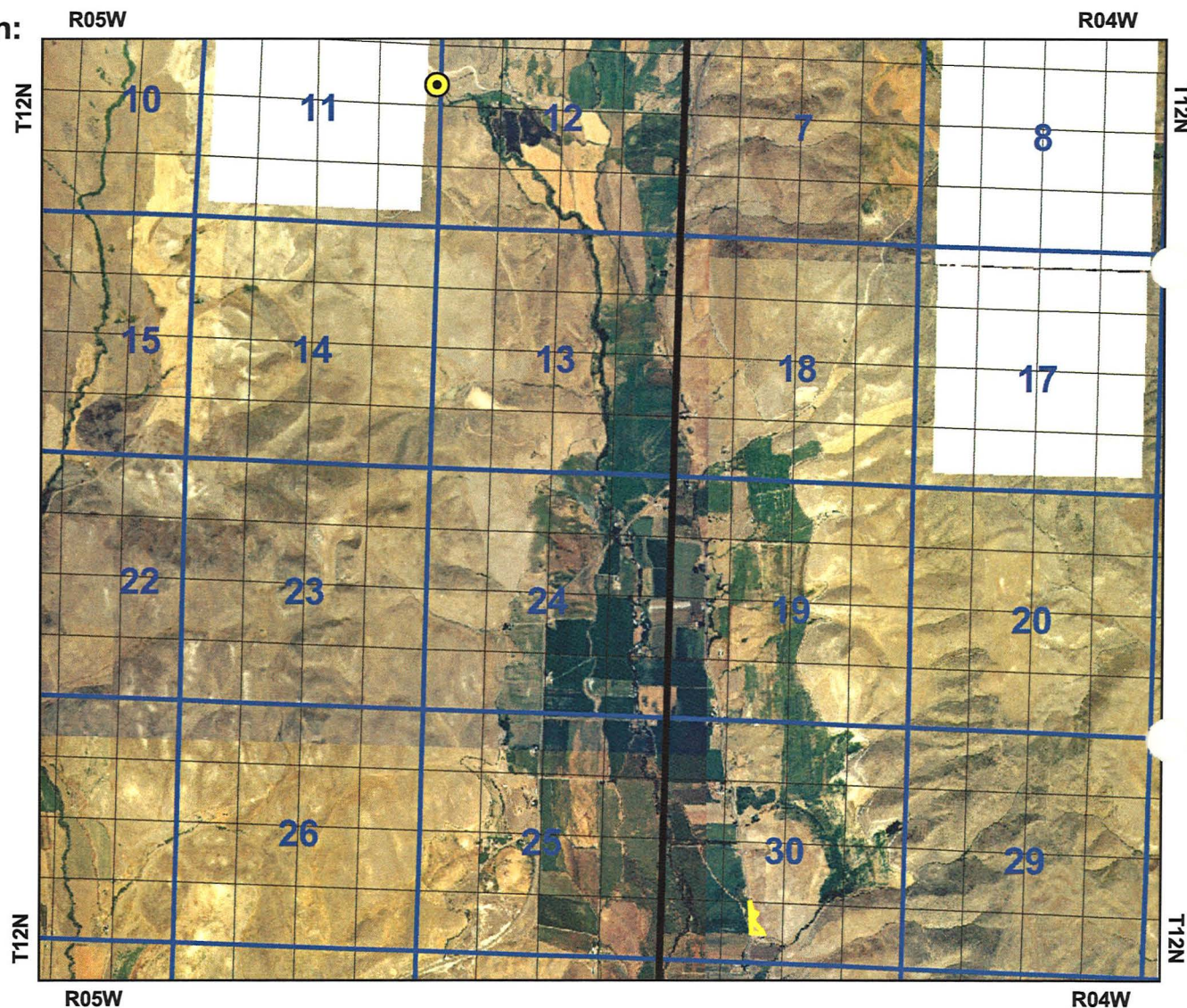
(Irrigation)

## Legend

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



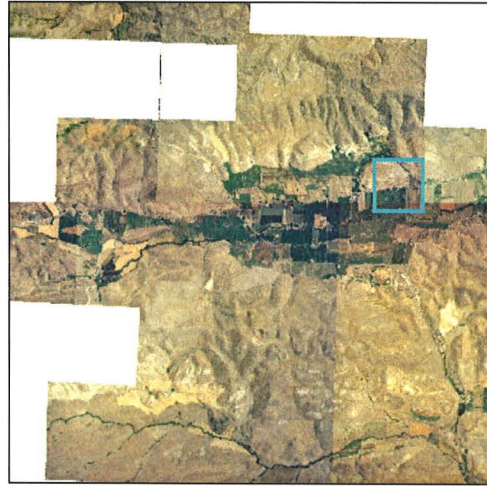
Washington County  
IDWR Basin 67



0 2 4 Miles

Prepared by D. Narsavage  
On Friday, September 1, 2006  
1987/88 Aerial Photography

67-14776



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 67-14776  
Date Received: 9/26/1989  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CAROLYN A FOLKE Phone: (208) 642-1417

PO BOX 100  
PAYETTE ID USA 83661-0100

TIMOTHY S FOLKE Phone: (208) 642-1417

PO BOX 100  
PAYETTE ID USA 83661-0100

2. Date of Priority: 06/01/1874

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   | 11      | SE SE NE              | WASHINGTON |      |

5. Description of diverting works:

LATERALS AND PUMPS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 10/31 | 0.02   |            |

7. Total Quantity Appropriated is:  
0.02 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 12N      | 04W   | 30      | SE         | SW  | IRRIGATION    | 2     |
|          |       |         |            |     | Section Acres | 2     |
|          |       |         |            |     | Total Acres   | 2     |

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:

WATER CARRIED IN THE MANN CREEK DITCH.  
THIS IS PRIMARY RIGHT.  
FLOODWATER 1.2136 CFS.  
LOW WATER .84952 CFS.

This right is a split from former right 67-523.

15. Basis of Claim: Decreed



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](http://www.idwr.idaho.gov)

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

September 1, 2006

TIMOTHY AND CAROLYN FOLKE  
PO BOX 100  
PAYETTE ID 83661-0100

RE: Snake River Basin Adjudication (SRBA)  
**Notice of Claim to a Water Right #67-14776**

Dear Claimants:

As a result of obtaining a portion of the property and water rights from Raymond and Donna Else, the identification number to your water right has been changed as follows:

From  
67-523

To  
67-14776

Please use the new number in future inquiries or correspondence you may have with our Department.

Enclosed is a copy of your water right. Please retain this copy for your file. Water Right #67-14327 is not appurtenant to your portion, so was not changed.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:

Notice of Claim to a Water Right

SCANNED

SEP - 1 2006