

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14865 V1

WATER RIGHT NUMBER: 67-14865 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEANNE W WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187
Current Owner	GLEN N WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187

Priority Date: 04/01/1894

Basis: Beneficial Use

Status: **Parent**

<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>
STOCKWATER	01/01 to 12/31	0.090 CFS	
	<u>Total Diversion:</u>	0.090 CFS	

Location of Point(s) of Diversion

MANN CREEK	SW1/4NE1/4	Sec. 30, Twp 11N, Rge 04W, B.M.
WASHINGTON County	(Beginning of Reach)	
MANN CREEK	NW1/4SW1/4	Sec. 31, Twp 11N, Rge 04W, B.M.
WASHINGTON County	(Ending of Reach)	

Place of Use

STOCKWATER

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	30			X	X				X	X			X	X			X	X
11N	04W	31					X	X	X	X		X							

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. **SPLIT RIGHT: SEE RIGHT NOS. 67-14909 and 67-14910.**

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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.
5. X02 Stockwater use is for 400 head cattle and horses.

Remarks:Comments:

1. mvanbussum 4/23/2007 Not a Late Claim

Comment: Claim was received in January 2006 but priority date and basis fields were blank. Claimant completed those fields in office today. No motion to file needed.

2. mvanbussum 4/24/2007 Use

Comment: There are multiple ditches off of Mann Creek. While it appears like this was claimed as instream stockwater, ditches are conveyances off natural system, so instream stock from Mann Creek does not apply. Recommended as standard de minimus claim.

3. mvanbussum 4/24/2007 Mann Creek

Comment: All of this land is covered under the Mann Creek decree. Irrigation claims were filed based on decreed rights. The Mann Creek decree (Jefferson v. Higgenbotham) did cover stockwater, but stockwater was not claimed with the irrigation. The intent of this stockwater claim was to cover the stockwater rights from the Mann Creek decree. There is evidence of historical beneficial use from the Mann Creek decree.

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:
 Owner Name Connector:
 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>
Contacts	4/24/2007 12:21:07 PM	mvanbussum			Parent
Priority Date	4/24/2007 12:21:55 PM	mvanbussum			Parent
POD	4/24/2007 12:22:10 PM	mvanbussum			Parent
Source	4/24/2007 12:29:51 PM	mvanbussum			Parent
POU	4/24/2007 12:30:17 PM	mvanbussum			Parent
Use	4/24/2007 12:35:02 PM	mvanbussum			Parent
Season	4/24/2007 12:35:26 PM	mvanbussum			Parent
Quantity	4/24/2007 12:35:53 PM	mvanbussum			Parent
Summary			04/24/2007	mvanbussum	Parent

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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/24/2007 12:21:13 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	4/24/2007 12:22:17 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	4/24/2007 12:29:29 PM	mvanbussum	Updated shape
POU	4/24/2007 12:34:46 PM	mvanbussum	Updated shape for Active POU
Summary	4/24/2007 12:53:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
General	4/24/2007 12:22:02 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as de minimus stock with usual conditions.
POD	4/24/2007 12:26:31 PM	mvanbussum	Updated shape

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Adjudication Recommendation Report 67-14865 V1

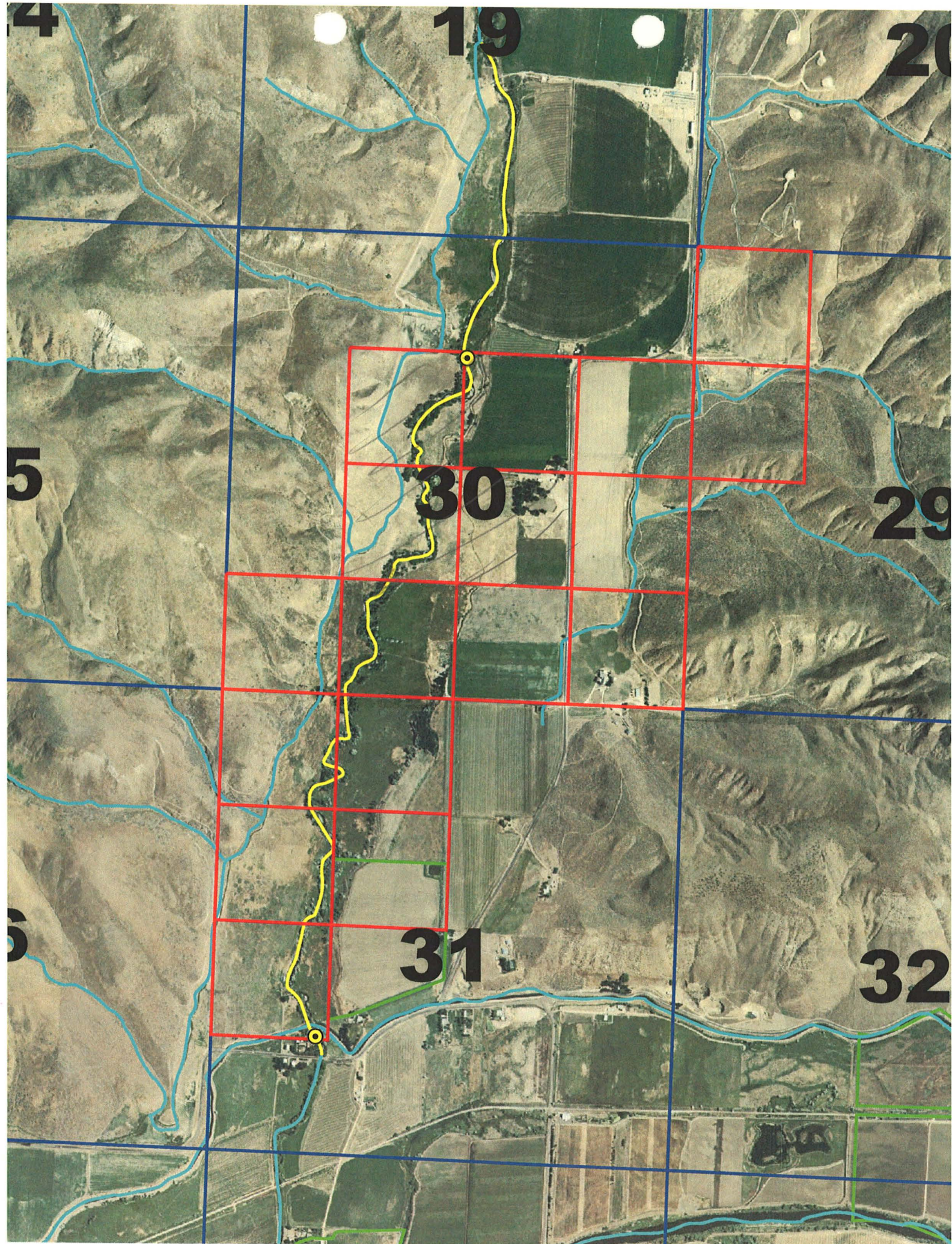
Use	4/24/2007 12:35:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Claimant contact.
Season	4/24/2007 12:35:35 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended IDWR standard for stock.
Quantity	4/24/2007 12:36:02 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - De minimus stock with usual conditions.
Source	4/24/2007 12:29:59 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Claimant contact and available imagery.

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POU	4/24/2007 12:30:24 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Claimant contact, Washington County taxlots and available imagery.
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Water Supply Bank:



STATE 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.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	67-14698 ✓		67-14897 + 67-14898		
	67-14700 ✓				
	67-14 ⁶⁹⁹ ~~700~~ ✓		67-14901 + 67-14902		
	67-14865 ✓		67-14909 + 67-14910		

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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)

COLEN + JEANNE Wallace
P.O. Box 711 MANN Creek Rd

4. New Owner/Claimant(s)

Weiser, Id 83672

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

New Mailing Address

CARY OR TINA SUTTON

City, State and ZIP Code

3555 S. Rustler. Av.

New Telephone Number

() Meridian, Id 83642

208 890 2507

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. **Signature(s) of New Owner(s) or Claimant(s)** _____ (title if applicable)
 _____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7.**
7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided.
9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee:**

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

WARRANTY DEED

FOR VALUE RECEIVED, GLEN N. WALLACE and JEANNE W. WALLACE, husband and wife, of P.O. Box 711, Weiser, Idaho, 83672, hereinafter referred to as Grantor, do hereby convey and warrant unto GARY F. SUTTON and TINA D. SUTTON, of 3555 S. Rustler Place, Meridian, Idaho 83642, Grantees, the following described premises located in Washington County, Idaho, to-wit:

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED
WEST OF MANN CREEK ROAD:

TOWNSHIP 11 NORTH, RANGE 4 WEST OF BOISE MERIDIAN:

Section 30: SE1/4NW1/4; SW1/4NE1/4; NE1/4SW1/4; NW1/4SE1/4.
EXCEPT THE RIGHT OF WAY FOR MANN CREEK ROAD.

Together with any and all water, water rights, ditches, ditch rights, minerals (if any), mineral leases(if any), and any and all irrigation rights appurtenant to said lands or in anywise connected therewith,

INCLUDING easements for the existing underground pipeline for conveyance of irrigation waters, such easements having a width of 7.5 feet on each side of the existing underground irrigation pipelines that connect the above described property to the Lund Ditch, and which pipelines are located on the property retained by Grantor described on Exhibit A, which is attached hereto and incorporated herein by reference. This easement shall include the right to the use, maintenance, repair, and replacement of such underground pipelines, and the obligation to maintain such pipelines in good repair, and without leaks, to protect the property of grantor.

SUBJECT TO any and all easements, rights-of-way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record, and SUBJECT TO the following Building Permit Restrictions.

BUILDING PERMIT RESTRICTIONS: Under the County Code of Washington County, Idaho, Section 5-4-1(Ordinance 51, 9-2-2003), an "Original Parcel", as that term is defined in the County Code of Washington County, Idaho, Section 5-2-1(Ordinance 51, 9-2-2003), may have up

04/24/2007

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

RIGHT NUMBER: 67-14865

NAME AND ADDRESS: JEANNE W WALLACE
PO BOX 711
WEISER ID 83672

GLEN N WALLACE
PO BOX 711
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.090 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T11N R04W S30 SWNE Begin of Stream Flow Within WASHINGTON County

T11N R04W S31 NWSW End of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T11N R04W S30	SWNE	T11N R04W S30	SENE
T11N R04W S30	SENE	T11N R04W S30	SENE
T11N R04W S30	SWSW	T11N R04W S30	SESW
T11N R04W S30	NESE	T11N R04W S30	NWSE
T11N R04W S30	SWSE	T11N R04W S30	SESE
T11N R04W S31	NENW	T11N R04W S31	NWNW
T11N R04W S31	SWNW	T11N R04W S31	SENE
T11N R04W S31	NWSW		

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 400 head cattle and horses.



Idaho Department of Water Resources

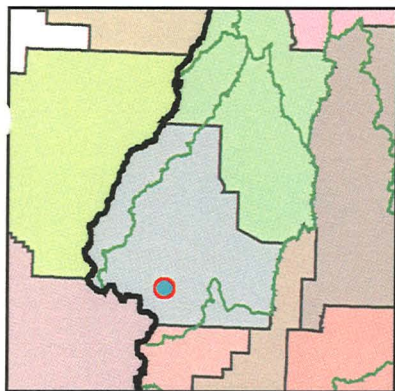
SRBA Recommendation:

67-14865

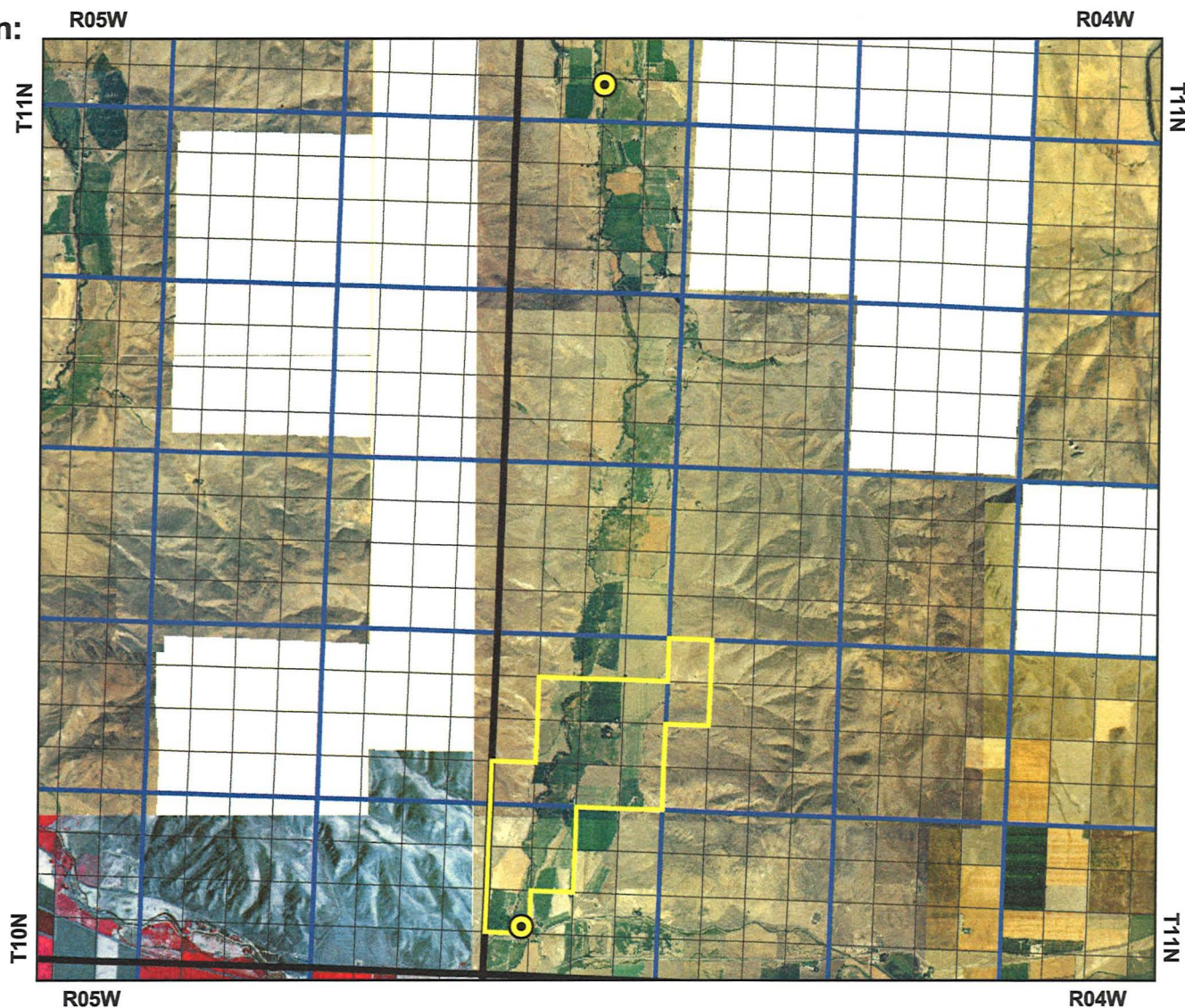
(Stockwater)

Legend

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



Washington County
IDWR Basin 67



0 2 4 Miles



Prepared by IDWR State Office
On Tuesday, September 11, 2007
1987/88 Aerial Photography

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WATER RIGHT NUMBER: 67-14865 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEANNE W WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187
Current Owner	GLEN N WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187

Priority Date: 04/01/1894

Basis: Beneficial Use

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>
STOCKWATER	01/01 to 12/31	0.090 CFS	
	<u>Total Diversion:</u>	0.090 CFS	

Location of Point(s) of Diversion

MANN CREEK	SW1/4NE1/4	Sec. 30, Twp 11N, Rge 04W, B.M.
WASHINGTON County	(Beginning of Reach)	
MANN CREEK	NW1/4SW1/4	Sec. 31, Twp 11N, Rge 04W, B.M.
WASHINGTON County	(Ending of Reach)	

Place of Use

STOCKWATER

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	30			X	X				X	X			X	X			X	X
11N	04W	31					X	X	X	X		X							

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

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4. X02 Stockwater use is for 400 head cattle and horses.

Remarks:Comments:

1. mvanbussum 4/23/2007 Not a Late Claim

Comment: Claim was received in January 2006 but priority date and basis fields were blank. Claimant completed those fields in office today. No motion to file needed.

2. mvanbussum 4/24/2007 Use

Comment: There are multiple ditches off of Mann Creek. While it appears like this was claimed as instream stockwater, ditches are conveyances off natural system, so instream stock from Mann Creek does not apply. Recommended as standard de minimus claim.

3. mvanbussum 4/24/2007 Mann Creek

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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:

Owner Name Connector:

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>
Contacts	4/24/2007 12:21:07 PM	mvanbussum			Active
Priority Date	4/24/2007 12:21:55 PM	mvanbussum			Active
POD	4/24/2007 12:22:10 PM	mvanbussum			Active
Source	4/24/2007 12:29:51 PM	mvanbussum			Active
POU	4/24/2007 12:30:17 PM	mvanbussum			Active
Use	4/24/2007 12:35:02 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14865 V1

Season	4/24/2007 12:35:26 PM	mvanbussum	Active
Quantity	4/24/2007 12:35:53 PM	mvanbussum	Active
Summary	04/24/2007	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/24/2007 12:21:13 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	4/24/2007 12:22:17 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	4/24/2007 12:29:29 PM	mvanbussum	Updated shape
POU	4/24/2007 12:34:46 PM	mvanbussum	Updated shape for Active POU
Summary	4/24/2007 12:53:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
General	4/24/2007 12:22:02 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as de minimus stock with usual conditions.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14865 V1

POD	4/24/2007 12:26:31 PM	mvanbussum	Updated shape
Use	4/24/2007 12:35:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Claimant contact.
Season	4/24/2007 12:35:35 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended IDWR standard for stock.
Quantity	4/24/2007 12:36:02 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - De minimus stock with usual conditions.
Source	4/24/2007 12:29:59 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Claimant contact and available imagery.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14865 V1

POU	4/24/2007 12:30:24 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Claimant contact, Washington County taxlots and available imagery.
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Water Supply Bank:

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 67-14865
Date Received: 4/23/2007
Receipt No:
Received By:

NEW CLAIM

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

1. Name of Claimant(s)

JEANNE W WALLACE Phone: (208)549-0187

PO BOX 711
WEISER ID USA 83672

GLEN N WALLACE Phone: (208)549-0187

PO BOX 711
WEISER ID USA 83672

2. Date of Priority: 04/01/1894

3. Source: MANN CREEK , MANN 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
11N	04W	6	SW SE	WASHINGTON	Beginning Point
11N	04W	31	NW SW	WASHINGTON	Ending Point

5. Description of diverting works:

Ohms Ditch, Barton Ditch, Lund Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.1	5.4

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 5.4 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	29	SW	NW	STOCKWATER	
			NW	NW	STOCKWATER	
11N	04W	30	SE	NE	STOCKWATER	
			SE	NW	STOCKWATER	
			NE	SW	STOCKWATER	
			SW	SW	STOCKWATER	
			SE	SW	STOCKWATER	
			NE	SE	STOCKWATER	
			NW	SE	STOCKWATER	
			SW	SE	STOCKWATER	
			SE	SE	STOCKWATER	
			SW	NE	STOCKWATER	
11N	04W	31	NE	NW	STOCKWATER	
			NW	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			SE	NW	STOCKWATER	
			NW	SW	STOCKWATER	

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:

Stockwater use is for 400 head cattle and horses.

15. Basis of Claim: Beneficial Use

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): *Jeanne W Wallace* Date: 4-23-07
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23rd
of April 2007 *Mon Spry*

Notary Public

Residing at Boise, Idaho

My commission Expires 4-11-2013



RECEIVED

JAN 30 2006

Form No. 42-1409 (2) & 1/88 (Internet)

DEPARTMENT OF
WATER RESOURCES
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 67-14865
Date Received 1-30-06
Receipt Number 0080191

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY

Please type or print clearly

1. Name of Claimant (s) Glen and Jeann Wallace Phone (208) 544-0187
Mailing Address PO Box 711 Weiser, Id. Zip 83672

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) Mann Creek
which is tributary to (b) Weiser River

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 11N Range 4W Section 30, SW 1/4 of NE 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of Washington

ending point is: Township 11N Range 4W Section 31, NW 1/4 of SW 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of Washington

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.

Ohm ditch, Barton
ditch, Lund Ditch

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1-1 to 12-31 amount 0.10 or 5.4

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) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - cattle & horses 400 head

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	4W	30																	
11N	4W	31																	
11N	4W	30																	
11N	4W	31																	
11N	4W	30																	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes ✓ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

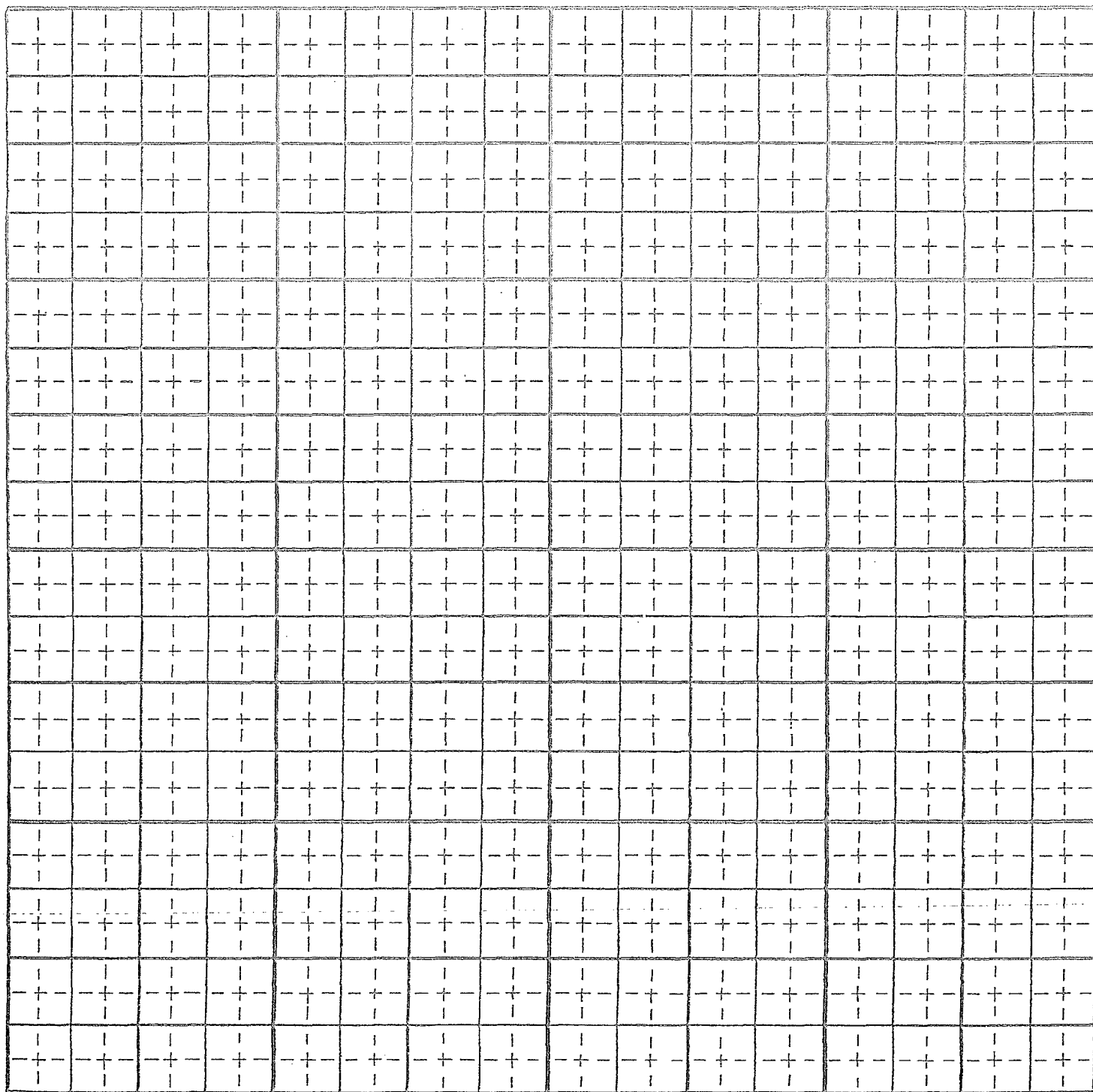
14. Remarks:

Ohms, Barton, Lund are all
old established ditches on map.

Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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

If applicable provide IDWR Water Right Number _____
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) Glenn Wallace Date 1-27-06

Heather Wallace Date 1-27-06

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 Arizona) SS.

County of Maricopa)

Subscribed and sworn (or affirmed) before me this 27th day of Jan 2006



Notary Public Rosalie A Jones

Residing at 2015 W Weckenburg Way Wich Az

My Commission Expires May 18, 2007

Please Print Name ROSALIE A JONES

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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

If applicable provide IDWR Water Right Number _____

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) [Signature] Date 1-27-06

[Signature] Date 1-27-06

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.

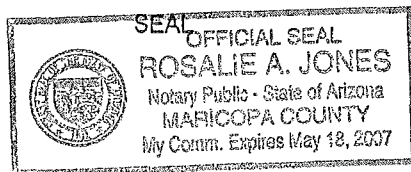
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Arizona) SS.

County of Maricopa)

Subscribed and sworn (or affirmed) before me this 27th day of Jan 2006



Notary Public Rosalie A Jones

Residing at 2015 W Weckenburg Way Wch Az

My Commission Expires May 18, 2007

Please Print Name ROSALIE A JONES

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____