

09/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14897

NAME AND ADDRESS: GARY F SUTTON
3555 S RUSTLER PL
MERIDIAN ID 83642

TINA D SUTTON
3555 S RUSTLER PL
MERIDIAN ID 83642

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.580 CFS

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.

PRIORITY DATE: 04/01/1894

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.

POINT OF
DIVERSION:

T11N R04W S6 SESW Within WASHINGTON County
T11N R04W S19 SWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.580 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S30	SWNE	33.00	T11N R04W S30	SENE	5.00
T11N R04W S30	NESW	10.00	T11N R04W S30	NWSE	31.00

79 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 67-14698.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14897 V1

WATER RIGHT NUMBER: 67-14897 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY F SUTTON 3555 S RUSTLER PL MERIDIAN, ID 83642 (208)890-2507
Current Owner	TINA D SUTTON 3555 S RUSTLER PL MERIDIAN, ID 83642 (208)890-2507
Original Owner	JEANNE W WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187
Original Owner	GLEN N WALLACE PO BOX 711 WEISER, ID 83672 (208)549-0187

Priority Date: 04/01/1894

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	1.580 CFS	
	<u>Total Diversion:</u>	1.580 CFS	

Location of Point(s) of Diversion

MANN CREEK	SE1/4SW1/4	Sec. 6, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
MANN CREEK	SW1/4SE1/4	Sec. 19, Twp 11N, 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	30			33.0				5.0	10.0							31.0		79.0

Total Acres: 79

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14897 V1

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. 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.
3. This right is a split from former right 67-14698 .
4. 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.

Remarks:

Comments:

1. shemenway 9/11/2007 SPLIT
Comment: 67-14698 WAS SPLIT INTO 67-14897 AND 67-14898.

Water Supply Bank:



Idaho Department of Water Resources

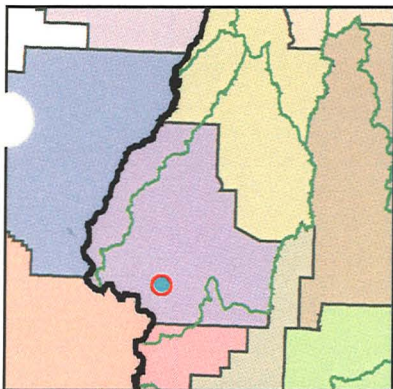
SRBA Recommendation:

67-14897

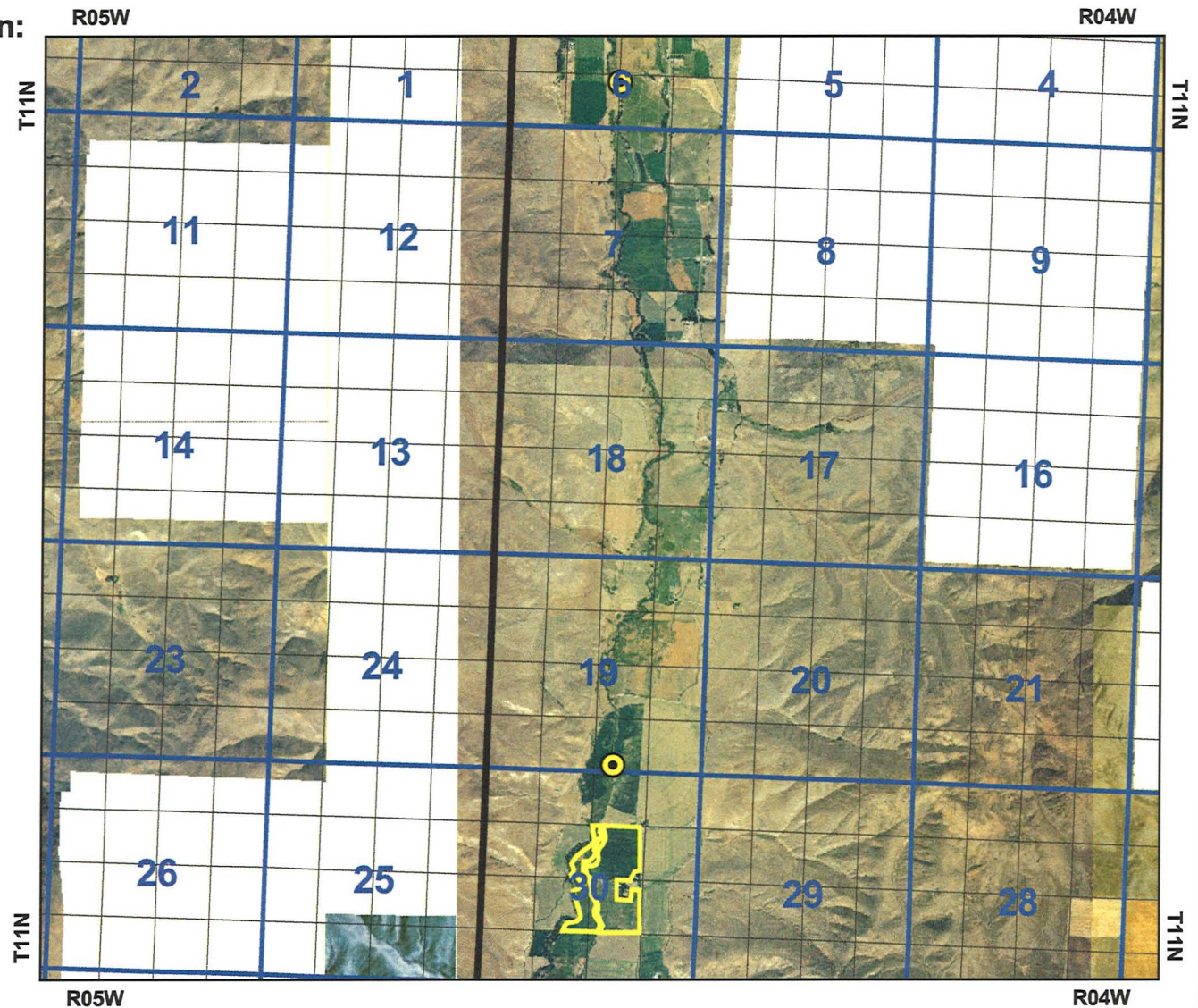
(Irrigation)

Legend

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



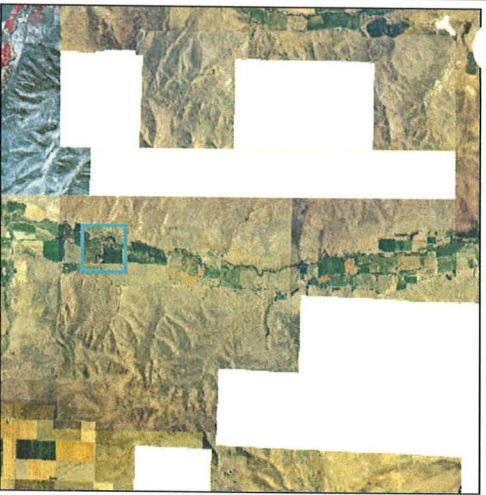
Washington County
IDWR Basin 67



0 2 4 Miles

Prepared by IDWR State Office
On Wednesday, September 12, 2007
1987/88 Aerial Photography

67-14897



Split Analysis

Water Right Number: 67-14698

Diversion Rate: 2.6 CFS

Reviewer Name: Sandy Hemenway

Date: 9/11/2007

Acreage Analysis

[illegible]

SCANNED

SEP 11 2007

Water Right Number: 67-14698
 Diversion Rate: 2.6 CFS
 Reviewer Name: Sandy Hemenway
 Date: 39336

Split Tree

67-14897 (79.0 ac & 1.58 cfs)
67-14898 (51.0 ac & 1.02 cfs)

Summary

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
67-14698	2.6	130	0.020
67-14897	1.58	79	0.020
67-14898	1.02	51	0.020

67-14698
(130.0 ac & 2.60 cfs)

SCANNED

SEP 11 2007