

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-624A V1

WATER RIGHT NUMBER: 67-624A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAVINA J HIGGINS 1585 US HWY 95 WEISER, ID 83672 (208)549-2239
Current Owner	WESLEY C HIGGINS 1585 US HWY 95 WEISER, ID 83672 (208)549-2239
Original Owner	J D JONES , ID

Priority Date: 03/29/1913

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	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

MANNS CREEK	SE1/4NE1/4	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	05W	13	8.5																8.5

Total Acres: 8.5

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 to all Primary Rights on Mann Creek.
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.

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3. 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.

Remarks:Comments:

1. segbert 6/17/2004 Quantity
Comment: Cannot verify quantity

2. dnarsavage 12/22/2005 Quantity
Comment: Quantity claimed is less than 0.02 cfs/acre for the acreage claimed (0.14cfs). I found fewer acres (8.5) than what was claimed (10.1), but this does not completely correct this problem. Recommended quantity as claimed.

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	6/17/2004 3:14:39 PM	segbert			Active
Source	6/17/2004 3:15:04 PM	segbert			Active
POU	6/17/2004 3:15:16 PM	segbert			Active
Use	6/17/2004 3:28:52 PM	segbert			Active
Season	6/17/2004 3:29:14 PM	segbert			Active
Quantity	6/17/2004 3:30:05 PM	segbert			Active
POD	6/17/2004 3:31:55 PM	segbert			Active
Summary			11/09/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/27/2005 2:00:59 PM	dnarsavage	Updated shape for Active POU

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Quantity	6/17/2004 3:30:05 PM	segbert	(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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Source	6/17/2004 3:15:04 PM	segbert	(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	6/17/2004 3:15:16 PM	segbert	(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?
POD	6/17/2004 3:31:56 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
POU	6/17/2004 3:28:27 PM	segbert	Edited shape boundary
Use	6/17/2004 3:28:52 PM	segbert	(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?
Priority Date	6/17/2004 3:14:39 PM	segbert	(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?
Season	6/17/2004 3:29:15 PM	segbert	(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	8/19/2005 8:00:35 AM	dnarsavage	Updated PLS for Active POU
POU	8/19/2005 8:00:19 AM	dnarsavage	Updated shape for Active POU
POU	8/19/2005 8:00:27 AM	dnarsavage	Edited Season Of Use
POU	11/9/2005 12:08:52 PM	dnarsavage	Updated PLS for Active POU

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Summary	11/9/2005 12:10:10 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? (Yes) 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	12/22/2005 9:01:00 AM	dnarsavage	Updated shape

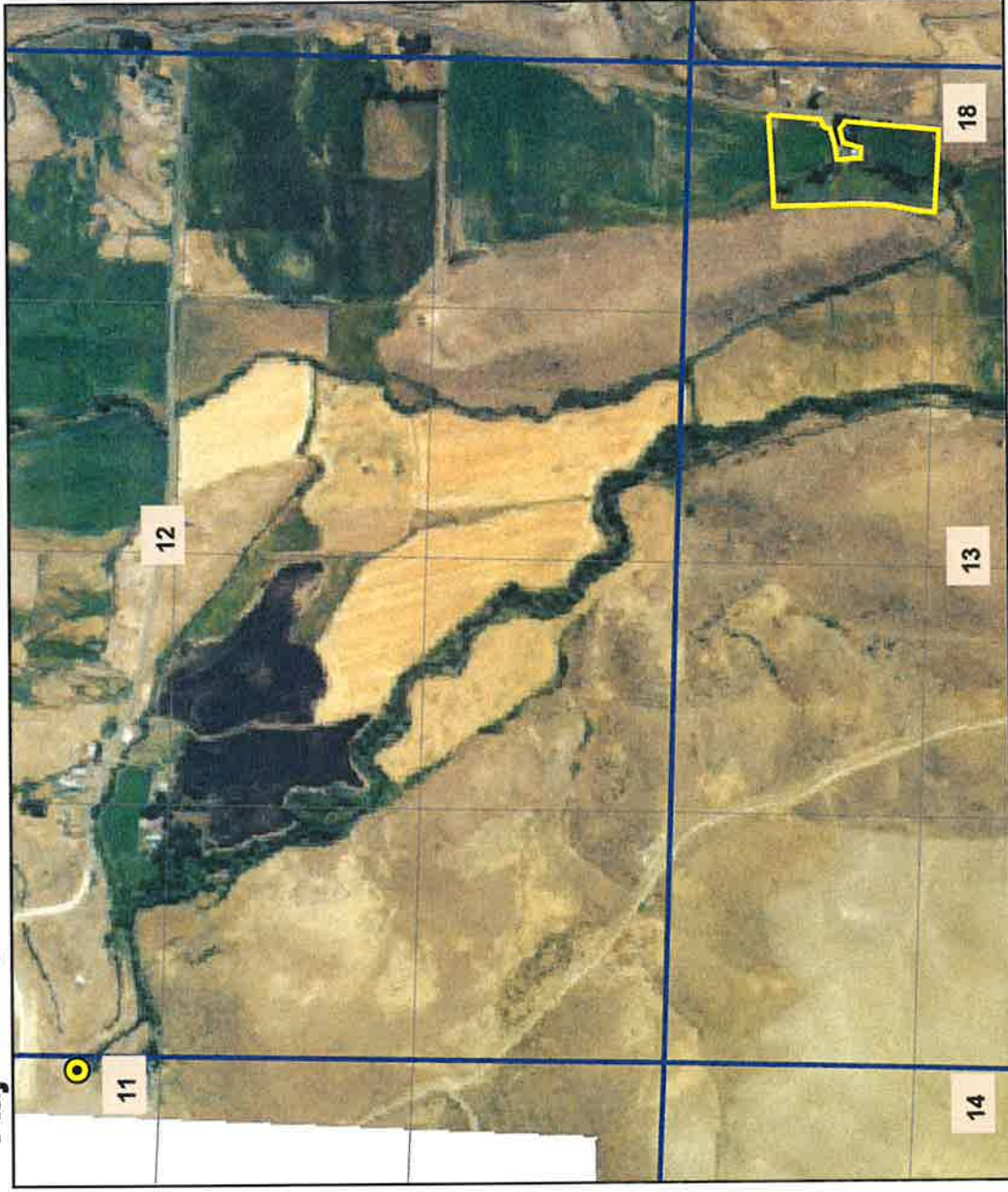
Water Supply Bank:

Idaho Department of Water Resources



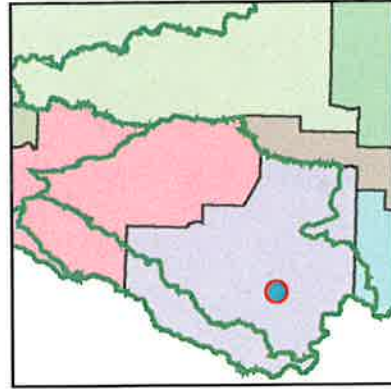
T12N R05W

Adjudication Claim Number: **67-624A**



Legend

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

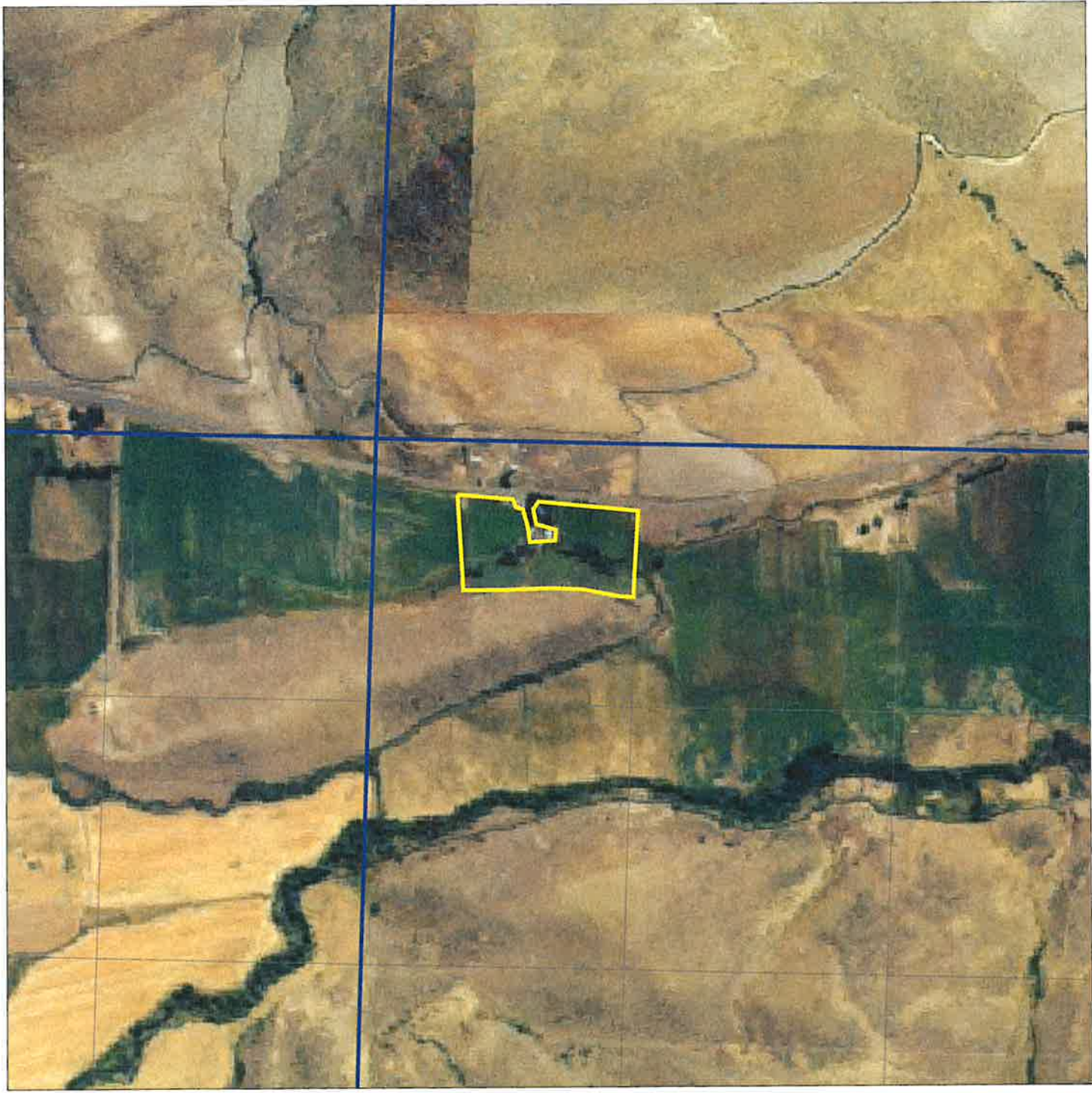


Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, December 22, 2005
1987/88 Aerial Photography

Rec67-624A



Split Analysis

Water Right Number: 67-624

Diversion Rate: 1 CFS

Reviewer Name: **Dan Narsavage**

Date: 22-Dec-05

[illegible]

67-624A

(8.5 ac & 0.14 cfs)

Recommended 0.14 cfs, as claimed

67-624

(50.0 ac & 1.00 cfs)

67-624B

(31.8 ac & 0.64 cfs)

As claimed and recommended

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-624	1	50	0.020
67-624A	0.14	8.5	0.016
67-624B	0.64	31.8	0.020

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

CLAIM NO(s). 67-624 A

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: _____
(If the priority date, based on your exam, seems questionable, explain below.)

As ~~PERMIT~~ (67-2078) LICENSED AND SUBSEQUENTLY (67-624) DECREED.

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:

JOSLYN (JOSLYN) DITCH

ONLY ONE POD REC'D. SECOND CLAIMED POD IS FROM DITCH

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☒ OK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 12/22/05

FIELD EXAMINER: CRAIG SAXTON DLN

Print Name

Signature

SEE MAP & RECOMMENDATION

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

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

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

Additional comments:

Domestic # of homes: Stock # List types:

☐ Changes Exam found:

8. ☒ No Change - NON-IRRIGATION USES:

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

SEE ~~TABLE~~ SPLIT TABLE FOR DETAILS

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

7. ☒ No Change - TOTAL VOLUME

CLAIMED 7 0.02 CFS/ACRE

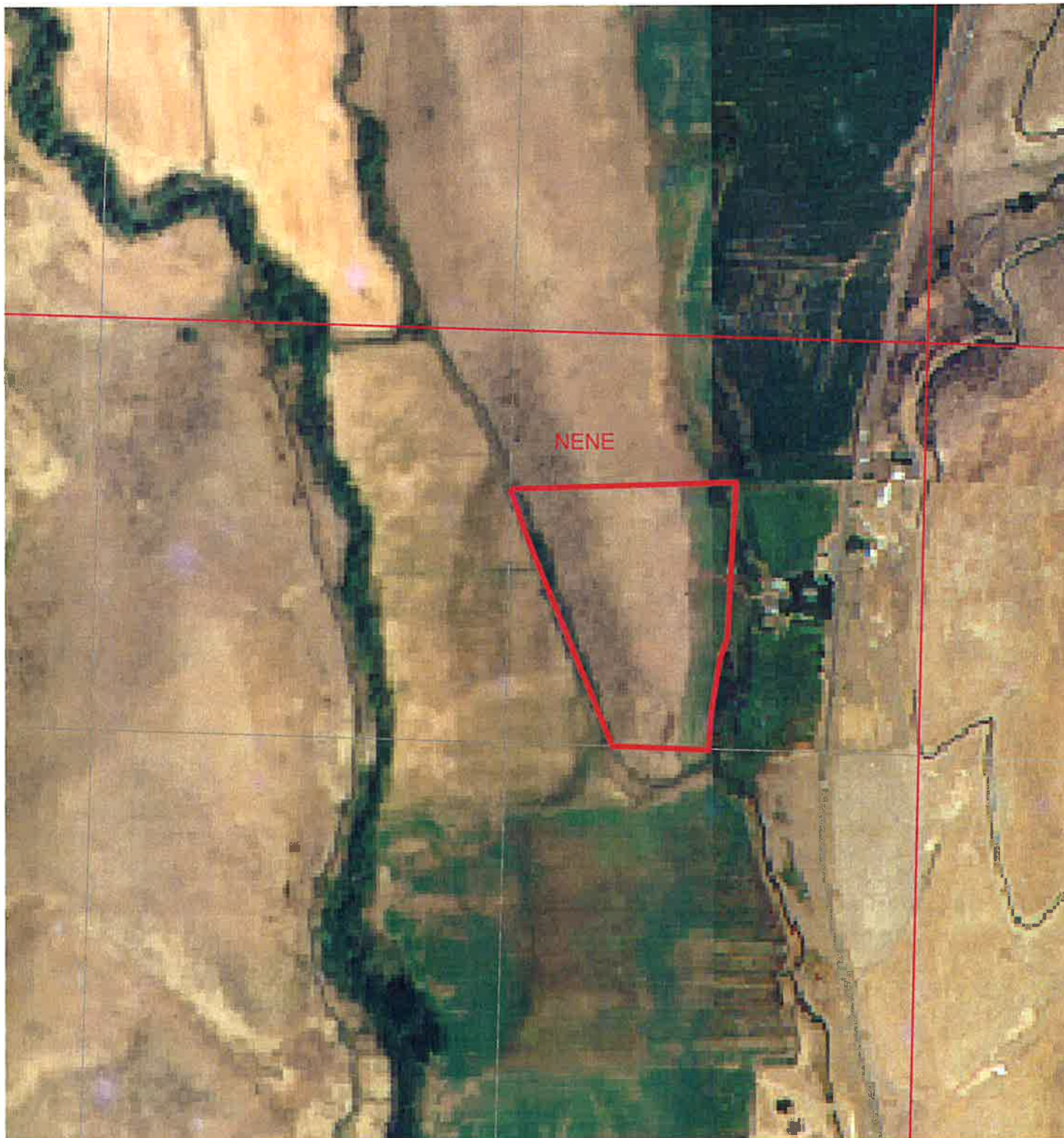
Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Idaho Department of Water Resources

67-624A



T12N R05W S13



Prepared by Sandy Egbert
6-16-04
1987 NAPP Photography

900 0 900 1800 Feet

06/17/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-824A V1

POU	6/17/2004 3:15:16 PM	segbert	(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? Edited shape boundary (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) 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) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 5. 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?
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Use	6/17/2004 3:28:52 PM	segbert	
Priority Date	6/17/2004 3:14:39 PM	segbert	
Season	6/17/2004 3:23:15 PM	segbert	