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In File

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
NUMBER: 39576
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE

Ident. Number 67-387
Date Received: 10/27/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: JOHN C BROWN Phone: (208)253-6018

Address: 2730 COUNCIL CUPRUM RD
COUNCIL ID USA 83612

Name: MARY L BROWN Phone: (208)253-6018

Address: 2730 COUNCIL CUPRUM RD
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1884

3. Source: Hornet Creek , Pearl Creek Trib. to: Weiser River , Hornet Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
17N	02W	5	NW SW 0		ADAMS
17N	02W	5	SE NW 0		ADAMS

5. Description of diverting works:

DITCH (HORNET CREEK) HEADGATE, DITCH.

DITCH (HORNET CREEK) HEADGATE, DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
IRRIGATION	3/15	11/15 0.75	0

7. Total Quantity Appropriated is:
0.75 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
17N	02W	4	NW NW		IRRIGATION	26
			SW NW		IRRIGATION	16
			NW SW		IRRIGATION	27
					Section Acres	69
17N	02W	5	NE NE		IRRIGATION	38
			NW NE		IRRIGATION	32
			SW NE		IRRIGATION	32
			SE NE		IRRIGATION	35
			SE NW		IRRIGATION	14
			NE SE		IRRIGATION	12
			NW SE		IRRIGATION	1
					Section Acres	164
					Total Acres	233

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

ADD. POINT OF DIVERSION - HORNET CREEK, T 17N, R 2W, SEC 5, SW1/4
NE1/4. PEARL CREEK DRIES UP AFTER FLOOD SEASON AND HAS BEEN USED
AS SOURCE SINCE PRIORITY DATE. EXPANSION IN ACREAGE. SEE A67-0400
FOR MAP
| ADDRESS CHANGE BY IDWR FORM. SS 6.12.00

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

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
JUN 12 2000
Department of Water Resources

Claim Number(s): see below

Previous Mailing Address: John C Brown
OK Ranch
#1067 Box 2395
Council, Id. 83612

New Mailing Address: John C. Brown
OK Ranch
2730 Council Ground Rd
Council, Idaho 83612

Telephone Number: (208) 253-6018

Signature of Claimant(s): John C Brown
Mary F. Brown

Please return this form to:

SD-1151-2

Idaho Department of Water Resources
Selection File Maintenance, Screen II

Date 06/13/00
Time 07:52:40

Go to Page

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67-11213 67-11214
A67-00397 A67-00400
A67-11216

67-11215 67-11216
A67-11213 A67-11214

A67-00387
A67-11215

Idaho Department of Water Resources
FAX 208/736-3037

Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: SS/HRM
NCAP prepared.

Date: 6-12-00

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: A67-00387
Date Received: 10/27/1989
Receipt No: W006566
Received By: DE IH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN C. BROWN 208-253-6018
Address: HC 67, BOX 2395
COUNCIL, ID 83612

Name: MARY L. BROWN 208-253-6018
Address: HC 67, BOX 2395
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1884

3. Source: HORNET CREEK Trib. to: WEISER RIVER
PEARL CREEK HORNET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02W	5	SE	NW			ADAMS
			NW	SW			ADAMS

5. Description of diverting works:
DITCH (HORNET CREEK) HEADGATE, DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		

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

8. Total consumptive use is 699.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	02W	4	NW	NW		IRR	26.0
			SW	NW		IRR	16.0
			NW	SW		IRR	27.0
						Section Acres	69.0
		5	NE	NE		IRR	38.0
			NW	NE		IRR	32.0
			SW	NE		IRR	32.0
			SE	NE		IRR	35.0
			SE	NW		IRR	14.0
			NE	SE		IRR	12.0
			NW	SE		IRR	1.0
						Section Acres	164.0
						Total Acres	233.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00397, A67-00400.

14. Remarks:
ADD. POINT OF DIVERSION - HORNET CREEK, T 17N, R 2W, SEC 5, SW1/4
NE1/4. PEARL CREEK DRIES UP AFTER FLOOD SEASON AND HAS BEEN USED
AS SOURCE SINCE PRIORITY DATE. EXPANSION IN ACREAGE. SEE
A67-0400 FOR MAP.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

WILLIAM ALLISON
Decree Defendant

vs

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 AG7-00387
Date Received 10-27-89
Receipt Number WG566
LW

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Brown, John Cor Mary L. Phone (208) 253-6018
Mailing Address HC 67, Box 2395, Council, ID Zip 83612
2. Date of Priority (Only one (1) per claim) May 1, 1884
3. Source of water supply (a) Hornet Ck. Pearl Ck
which is tributary to (b) Weiser R. Hornet
4. a. Location of existing point of diversion is: Township 17N Range 2W Section 5,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Adams
Additional points of diversion if any: T 17N, R 2W, Sec 5', SE 1/4, NW 1/4
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
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. Ditch (Hornet creek)
headgate, ditch

MICROFILMED

OCT 01 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

-All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 0.75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 699.0 acre feet per annum.

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

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.

See AG7-00400
for map.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
17N	2W	4						26	16			27							69
		5	38	32	32	35				14					12	1			164

Total number of acres irrigated 233

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

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.
AG7-00397, AG7-00400, AG7-00409 or None ()

14. Remarks: Add. Point of diversion - Hornet Ck.; T17N, R2W,
Sec. 5, SW 1/4, NE 1/4
Pearl Creek dries up after flood season, & has been
used as source since priority date.
Expansion in acreage.

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OCT 01 1992

Last Name Brown Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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 Maur VS Allison

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) X Mary L Brown Date X 10-24-89

Date _____

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27 day of Oct 19 89

SEAL

Notary Public Linda Werner

Residing at Linda A. Werner

My Commission Expires Residing at Boise, Idaho

Please Print Name

My Commission Expires December 8, 1994

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 _____

MICROFILMED

OCT 01 1992

Last Name Brown Ident. Number _____

Copies White-State, Yellow-Claimant

old {p} Number -

TELEPHONE (D) PRO

Ad: Elec Translation: Standard Water Right Number

Copyright Number - 67-00387

[illegible]

*** C - CURRENT OWNER ***
GILMER

C. M.

112

stat-
zip-

РЕСК

FRANK

3 - City - 1
phone
see - 1
- 1

+ - -	Priority Date - - +	+ - - - Region - - +	+ - - stage - - +	+ - - - status - - -
	14		D - DECREED	
	05/01/1884			

```

1  - - - - - Source - - - - - +
00/00/1980.
+ - - - - Tributary - - - - -
WEISER RIVER

```

[illegible]

LINE	DATE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
+	-	-	-	-	-	-	-

Code	01 - IRRIGATION	0.750

	+ ~ Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage
	0.750				

Town	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
17N	02W	4	NW SW			01	IRRIGATION	ADAMS
17N	02W	5	SW NE			01	IRRIGATION	ADAMS
17N	02W	5	SE NE			01	IRRIGATION	ADAMS

Total Acres:

1 - Diversion Means -

- - Non-Irrigation Use -

Other rights for same use -

	Remarks
	No Remarks found.

MICROFILMED
OCT 01 1992

MICROFILMED
OCT 01 1992

AJ0749NP
No. A67-00387

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/12/00
PAGE: 1

OWNER CODE NAME & ADDRESS
C JOHN C BROWN
C MARY L BROWN
2730 COUNCIL CUPRUM RD
COUNCIL ID 83612
(208) 253-6018

PRIORITY DATE 05/01/1884
WATER USE IRRIGATION
USE PERIOD FROM 03-15 TO 11-15
DIVERSION RATE 0.750 CFS
DIVERSION VOLUME 699.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: HORNET CREEK
PEARL CREEK

Tributary to: WEISER RIVER
HORNET CREEK

Stage: DECREASED

Point(s) of Diversion: T17N R02W S05 SENW NWSW ADAMS County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE									
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
17N	02W	4	38	32	32	35	26	16	14	27	12	01	164.0	233.0	
17N	02W	5	38	32	32	35	26	16	14	27	12	01	164.0	233.0	

POU County: ADAMS

Other Rights: A67-00397, A67-00400.

Remarks: GEN ADD. POINT OF DIVERSION - HORNET CREEK, T 17N, R 2W, SEC 5, SW1/4
NE1/4. PEARL CREEK DRIES UP AFTER FLOOD SEASON AND HAS BEEN USED
AS SOURCE SINCE PRIORITY DATE. EXPANSION IN ACREAGE. SEE
A67-0400 FOR MAP.

ADDRESS CHANGE BY IDWR FORM. SS 6.12.00

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 67 Field Inspection Flag:
Presumption Flag: