

12/05/2006

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

RIGHT NUMBER: 67-187

NAME AND ADDRESS: DEBORAH J WIEBE
PO BOX 13
CAMBRIDGE ID 83610

NICHOLAS W WIEBE
PO BOX 13
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 06/05/1884

POINT OF DIVERSION:

T14N R03W S5 NENW Lot 3 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	0.350 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S04	SWNW	12.00	T14N R03W S04	SENW	6.00
T14N R03W S04	NWSW	4.00	T14N R03W S05	SENE	6.00

28 ACRES TOTAL

Right Nos. 67-187 and 67-204 are limited to the irrigation of a combined total of 33 acres in a single irrigation season.

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

Right No. 67-204 is also diverted through point of diversion described above.

Idaho Department of Water Resources



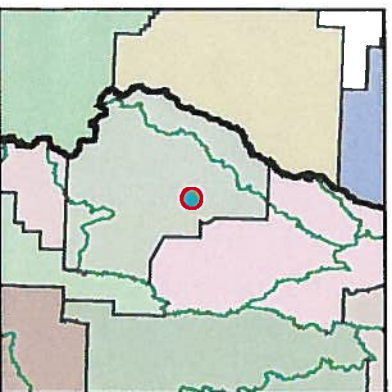
SRBA Recommendation:

67-187

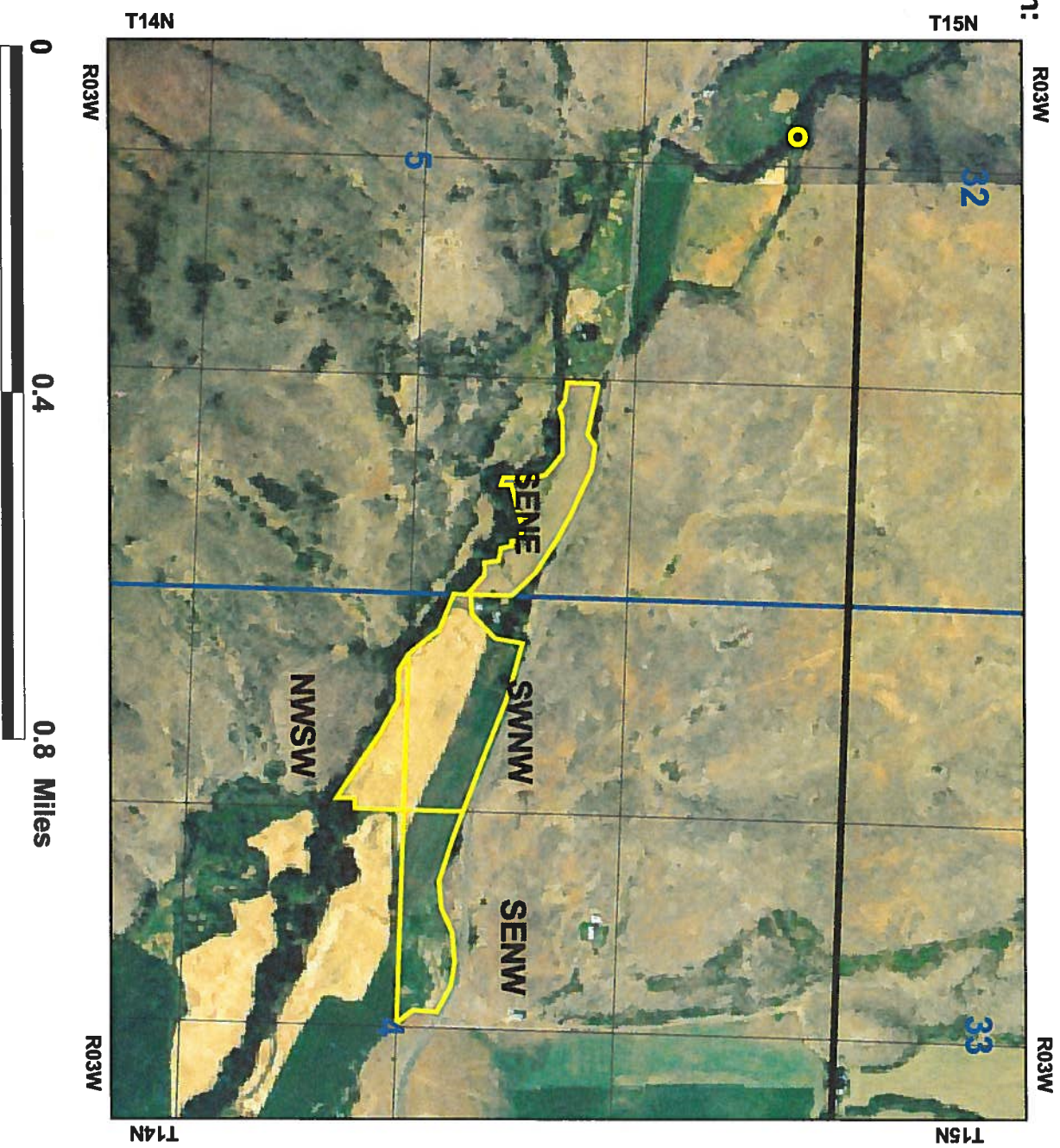
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by L. Graves
On Tuesday, December 5, 2006
1987/88 Aerial Photography

11/20/2006

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-187

DEBORAH J WIEBE
PO BOX 13
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3857

NICHOLAS W WIEBE
PO BOX 13
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3857

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Remove the acres south of Pine Creek to the Southeast northwest

3. Give a brief explanation as to why you disagree with these portions:

that has been moved prior to 1987

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-2006

SIGNATURE:

Deborah Wiebe 

Please print your name:

Deborah Wiebe Nicholas W. Wiebe

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



Idaho Department of Water Resources

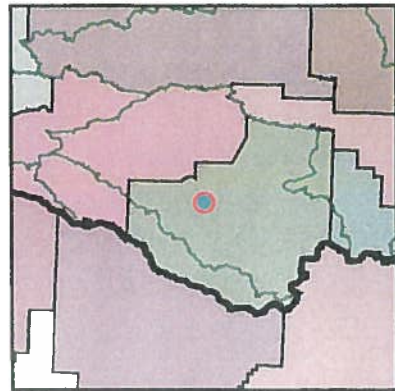
SRBA Recommendation:

67-187

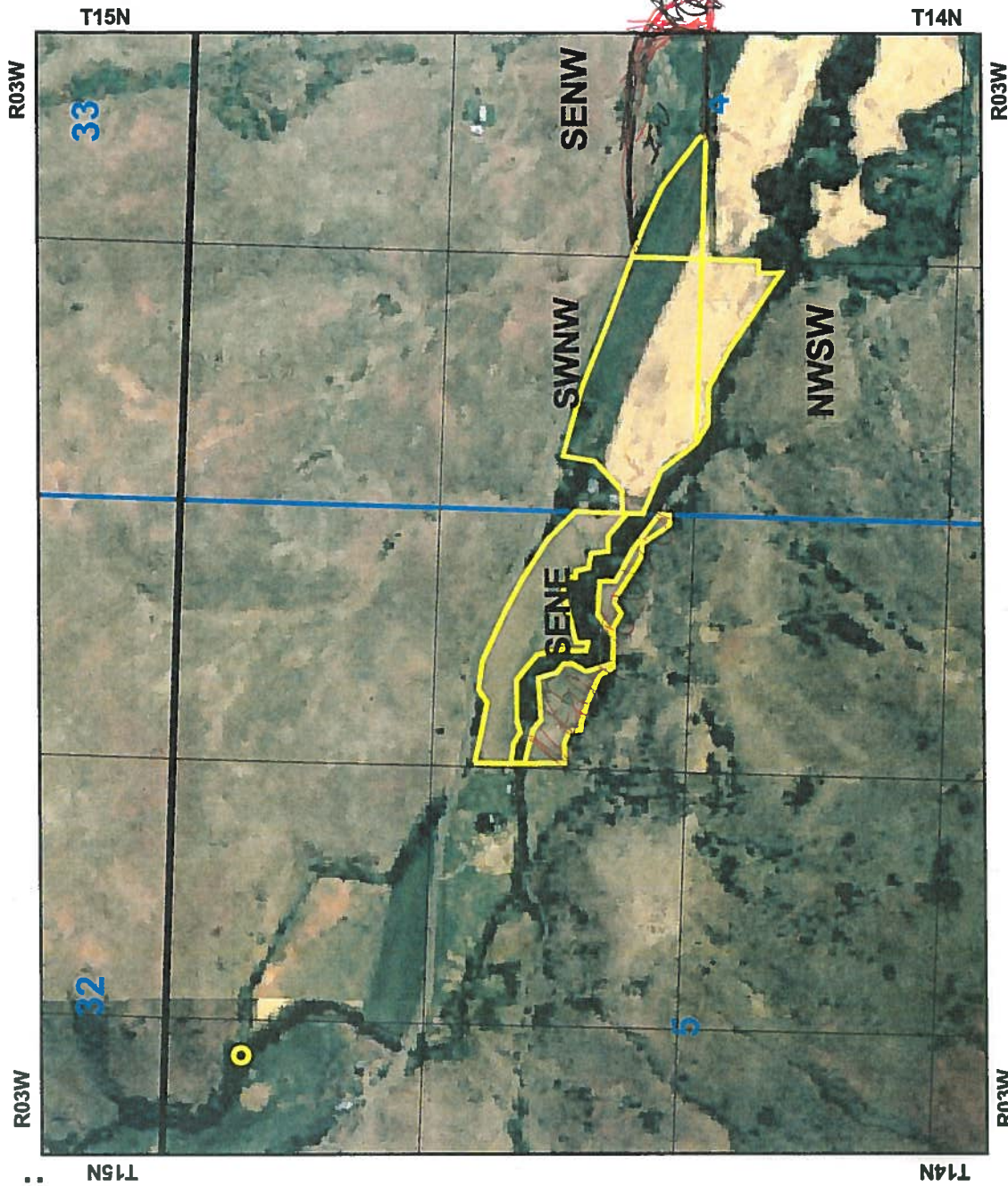
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



0.8 Miles

0.4

0

Prepared by L. Graves
On Friday, November 17, 2006
1987/88 Aerial Photography

*They own RIGATE NORTH
AD
FOLLOWERS*

11/17/2006

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

RIGHT NUMBER: 67-187
NAME AND ADDRESS: DEBORAH J WIEBE
PO BOX 13
CAMBRIDGE ID 83610
NICHOLAS W WIEBE
PO BOX 13
CAMBRIDGE ID 83610

*Adjusted per Notice of
Errors*

SOURCE: PINE CREEK TRIBUTARY: WEISER RIVER
QUANTITY: 0.350 CFS
PRIORITY DATE: 06/05/1884
POINT OF DIVERSION:

T14N R03W S5 NENW Lot 3 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	0.350 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S04	SWNW	11.00	T14N R03W S04	SENW	3.00
T14N R03W S04	NWSW	4.00	T14N R03W S05	SENE	10.00

28 ACRES TOTAL

Right Nos. 67-187 and 67-204 are limited to the irrigation of a combined total of 33 acres in a single irrigation season.

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

Right No. 67-204 is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-187

WATER RIGHT NUMBER: 67-187

Owner Type Name and Address
 Original Owner RANDY HOWLAND
 HC 69 BOX 3360
 CAMBRIDGE, ID 83610
 (208)257-3754
 Current Owner DEBORAH J WIEBE
 PO BOX 13
 CAMBRIDGE, ID 83610
 (208) 257-3857
 Current Owner NICHOLAS W WIEBE
 PO BOX 13
 CAMBRIDGE, ID 83610
 (208) 257-3857

Priority Date: 06/05/1884

Basis: Decreed

Status: Active

Source

PINE CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 10/31

Diversion Rate

0.350 CFS

Annual VolumeTotal Diversion: 0.350 CFSLocation of Point(s) of Diversion

PINE CREEK

WASHINGTON County

643 NE1/4NW1/4

Sec. 5, Twp 14N, Rge 03W, B.M.

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	
14N	03W	4							15.0	4.0			4.0						23.0
									11	3									18
14N	03W	5				10.0													10.0

Total Acres: 33 *28 decreed per duty of water*

Dates and Other Information:

Claim Received Date: 10/19/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR

add E55

*33 acre lim
 when com-
 lined wi
 67-204*

FOS

*shared PD
 wi 67-204*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-187

WATER RIGHT NUMBER: 67-187

Owner Type Name and Address
 Current Owner JAMES H PHILLIPS
 , ZZ

Priority Date: 06/05/1884

Basis: Decreed

Status: Active

Source Tributary
 PINE CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.350 CFS	
	<u>Total Diversion:</u>	0.350 CFS	

Location of Point(s) of Diversion

PINE CREEK

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	
14N	03W	4							X	X		X							
14N	03W	5				X													

Licensed Date:

Decreed Date: 6/20/1921

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: William Allison, et al

Decree Plaintiff: John T Muir, et al

Civil Case Number:

Judicial District: Seventh District

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Walter C Keithley
Elihu G Johnson

16 /
3 1/8 /
5 /

May 15, 1899 67 0179
May 15, 1899 67 0180
May 15, 1899 67 0181

Sarah S Keithley, administratrix of the estate
of John D Keithley
and trustee of Howard M Keithley, John Keith-
ley and Clarence F Keithley.

200 /

May 15, 1877 67 0182

Pine Creek.

Angus R. McDonald

47 /

June 1, 1879 67 0183

Nels Buhl

13 /

June 1, 1905 67 0184

James H Phillips

90 /

May 1, 1880 67 0185

C E Solmits

30 /

June 1, 1884 67 0186 8045

17 1/2 /

June 5, 1884 67 0187

5 /

May 1, 1884 67 0188

12 /

May 1, 1904 67 0189

5 1/2 /

May 1, 1912 67 0190

O B Hulet

31 1/2 /

June 1, 1886 67 0191

Enoch Bloomstrom

12 1/2 /

May 1, 1886 67 0192

Harold M Kinney

22 1/2 /

May 1, 1889 67 0193

Nathaniel H Wells

35 /

Aug 15, 1888 67 0194

William W Allison

31 /

Aug 15, 1888 67 0195

Joseph C Allison

12 /

June 26, 1888 67 0196

James W Tindell

62 1/2 /

May 6, 1899 67 0197

Michael Ward

18 /

June 26, 1888 67 0198

E F Edwards

30 /

May 1, 1906 67 0199

Fannie K Baker

32 1/2 /

May 1, 1890 67 0200

Denbrae Sheep Company

47 1/2 /

June 3, 1890 67 0201

William Niemeyer

123 /

May 1, 1891 67 0202

Mary Marquess

42 /

May 1, 1891 67 0203

E M Fuller

6 /

May 1, 1891 67 0204

John D Forsyth

29 /

May 1, 1900 67 0205

James N Davis

15 /

June 1, 1891 67 0206

Charles A Hnygood

7 /

May 1, 1892 67 0207

John W Gibson

6 1/2 /

May 1, 1897 67 0208

William A McKenzie

5 /

— — — 67 0209

Elizabeth Webber for life

21 /

May 1, 1892 67 0210

20 /

May 1, 1893 67 0211

32 /

May 1, 1900 67 0212

45 /

May 1, 1900 67 0213

35 /

May 1, 1900 67 0214

25 /

May 1, 1900 67 0215

25 /

May 1, 1902 67 0216

27 1/2 /

May 1, 1900 67 0217

19 /

May 1, 1900 67 0218

14 /

May 1, 1901 67 0219

JUL 2 4 1906

ELIHU G JOHNSON: Lot 1, and the South half of the Northeast Quarter, Section 1, Township 13 North, Range 4 West Boise Meridian.

SARAH S KEITHLEY, ADMINISTRATRIX OF THE ESTATE OF JOHN D KEITHLEY, AND TRUSTEES OF HOWARD E KEITHLEY, JOHN KEITHLEY AND CLARENCE F KEITHLEY: The West half of the Southeast Quarter, and the East half of the Southwest Quarter, Section ²⁵35, the West half of the ⁵²²Northeast Quarter, and the East half of the Northwest Quarter, Section 36, the Northeast Quarter of the Northeast Quarter Section 36, the East half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter Section 35, and the West half of the Northwest Quarter and the North half of the Southwest Quarter Section 36, Township 14 North, Range 4 West Boise Meridian. ^{F. 365A}

ANGUS R McDONALD: The Northeast Quarter of Section 9, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian, and 4 acres in the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian.

MELB IRWIN: The South half of the Southwest Quarter of Section 3, the North half of the Northwest Quarter Section 10; The East half of the Southeast Quarter of Section 4, the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter Section 4, excepting a tract of land in the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10, described as follows, to-wit:

Beginning at a point 1321.8 feet west of the Southeast corner of Section 4, Township 14 North, Range 3 West Boise Meridian and running thence North 435 feet on the true line between the East and West halves of the Southeast Quarter of said Section 4; thence in an easterly direction at an angle of $69^{\circ} 25'$, a distance of 534 feet; thence in a Northerly direction at an angle of $11^{\circ} 42'$ a distance of 262 feet to the section line on the South side of Section 4; thence West along said section line a distance of 500 feet to the place of beginning containing an area of 4 acres.

Also including in said defendants holdings the following described lands in the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian, described as follows, to-wit:

Beginning at the center of the Southeast quarter of Section 4, Township 14 North, Range 3 West, and running thence West on the true line between the North and South halves of said Southeast Quarter of Section 4, a distance of 274 feet; thence in a Southwesterly direction at an angle of $10^{\circ} 25'$, a distance of 432 feet; thence in a southeasterly direction on an angle of $10^{\circ} 30'$ a distance of 426 feet to the true line between the East and West halves of said Southeast Quarter of Section 4; thence North on said true line a distance of 604 feet to the place of beginning, containing an area of 4 acres more or less.

JAMES H PHILLIPS: The Southeast Quarter of the Northeast Quarter of Section 5, and the South half of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian.

C E SCHMITZ: The South half of the Southwest Quarter Section 32, Township 15 North, Range 3 West, and Lots 2 and 3, Section 5, Township 14 North, Range 3 West Boise Meridian.

O S IRVING: The North half of the Southwest Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian, excepting a small tract conveyed to other parties.

JUL 24 1996

PINE CREEK (CON.)

Augusta Kinney	12½	May 1, 1912
Nathaniel H. Wells	31	Aug 15, 1888
William Niemeyer	{ 7 6½	May 1, 1892
James W. Tindell	32½	" " 1897
Mary Marquess	5 21 20	" " 1890
Michael Ward	47½	" " 1892
Thomas Ray	6½	" " 1893
James H. Phillips	17½	June 3, 1890
C. E. Schmitz	5½ 5 12	May 1, 1902
Angus R. McDonald	47 13	June 5, 1884
Nels Buhl	90 30	May 1, 1912
		" " 1884
		" " 1904
		June 1, 1879
		" " 1905
		May 1, 1880
		June 1, 1884

GOODRICH R CREEK.

J. P. Ogilvie	10	May 1, 1892
Ashton Roby	4	" " 1911

COW CREEK

American Falls Development Co. sub. for	47	June 1, 1886
W. H. Philbrick and R.BGreenwood		

JUL 24 1996