

12/05/2006

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

RIGHT NUMBER: 67-204

NAME AND ADDRESS: NICHOLAS W WIEBE
PO BOX 13
CAMBRIDGE ID 83610

DEBORAH J WIEBE
PO BOX 13
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/01/1891

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	03/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S04	SWNW	3.00	T14N R03W S04	SENW	2.00
T14N R03W S04	NWSW	2.00	T14N R03W S05	SENE	2.60

9.6 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 includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right No. 67-187 is also diverted through point of diversion described above.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

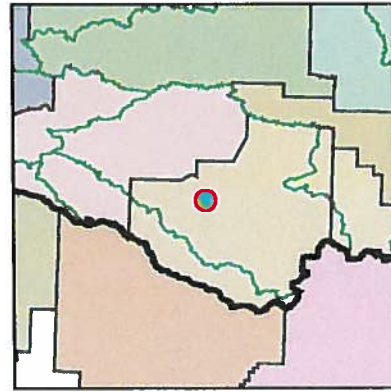
SRBA Recommendation:

67-204

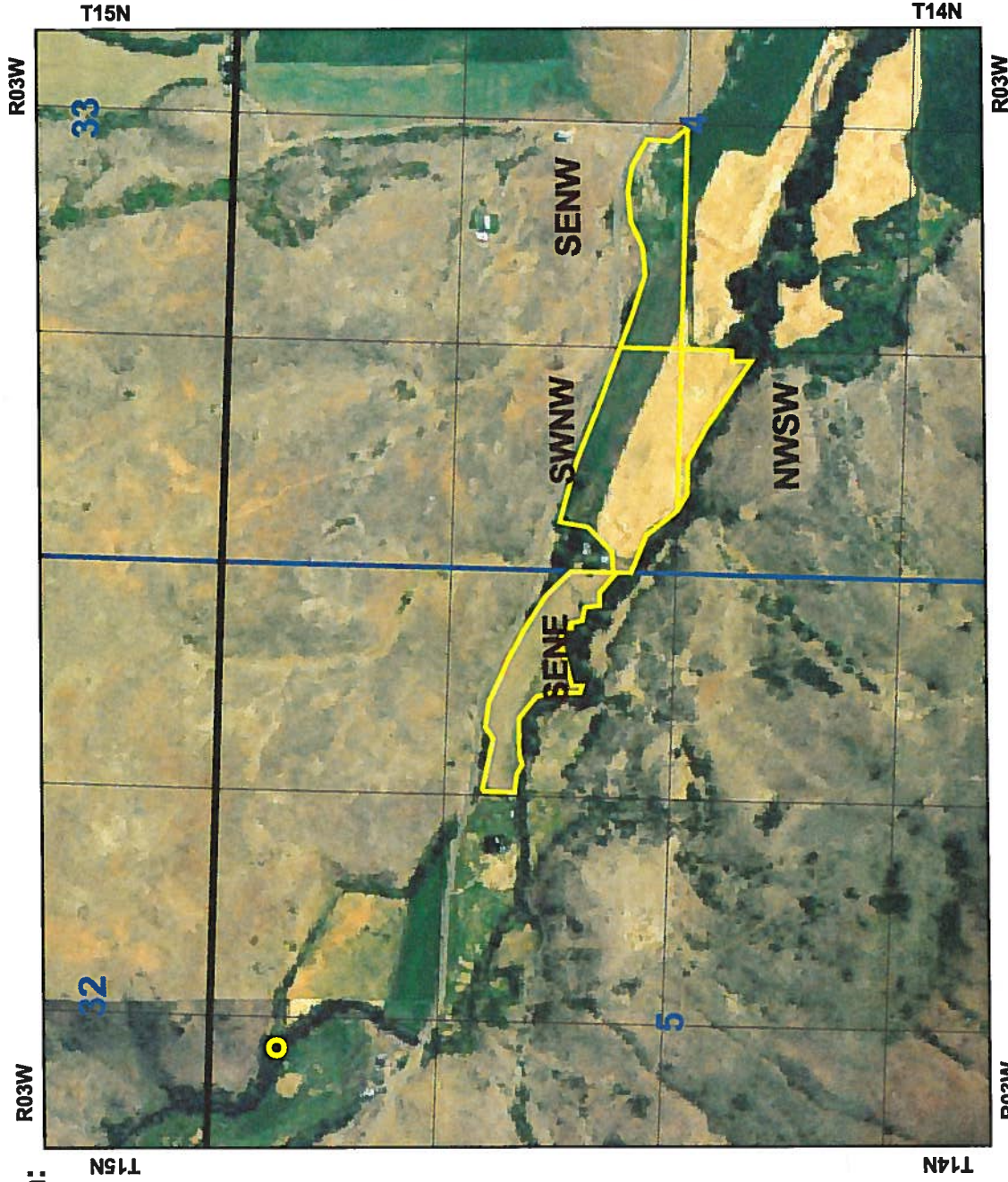
(Irrigation)

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: 67-204

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

DEBORAH J 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's been moved since prior to 1987

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

DATE: 11-29-2006

SIGNATURE:

Deborah Wiebe, Nicholas W. Wiebe

Please print your name:

Deborah Wiebe Nicholas W. Wiebe



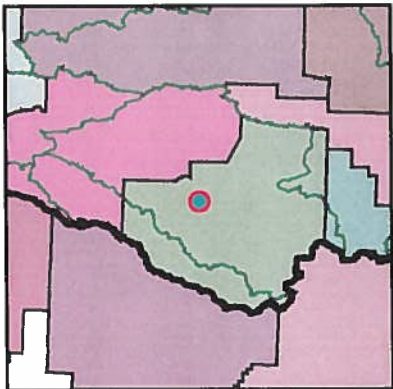
Idaho Department of Water Resources

SRBA Recommendation:

67-187
(Irrigation)

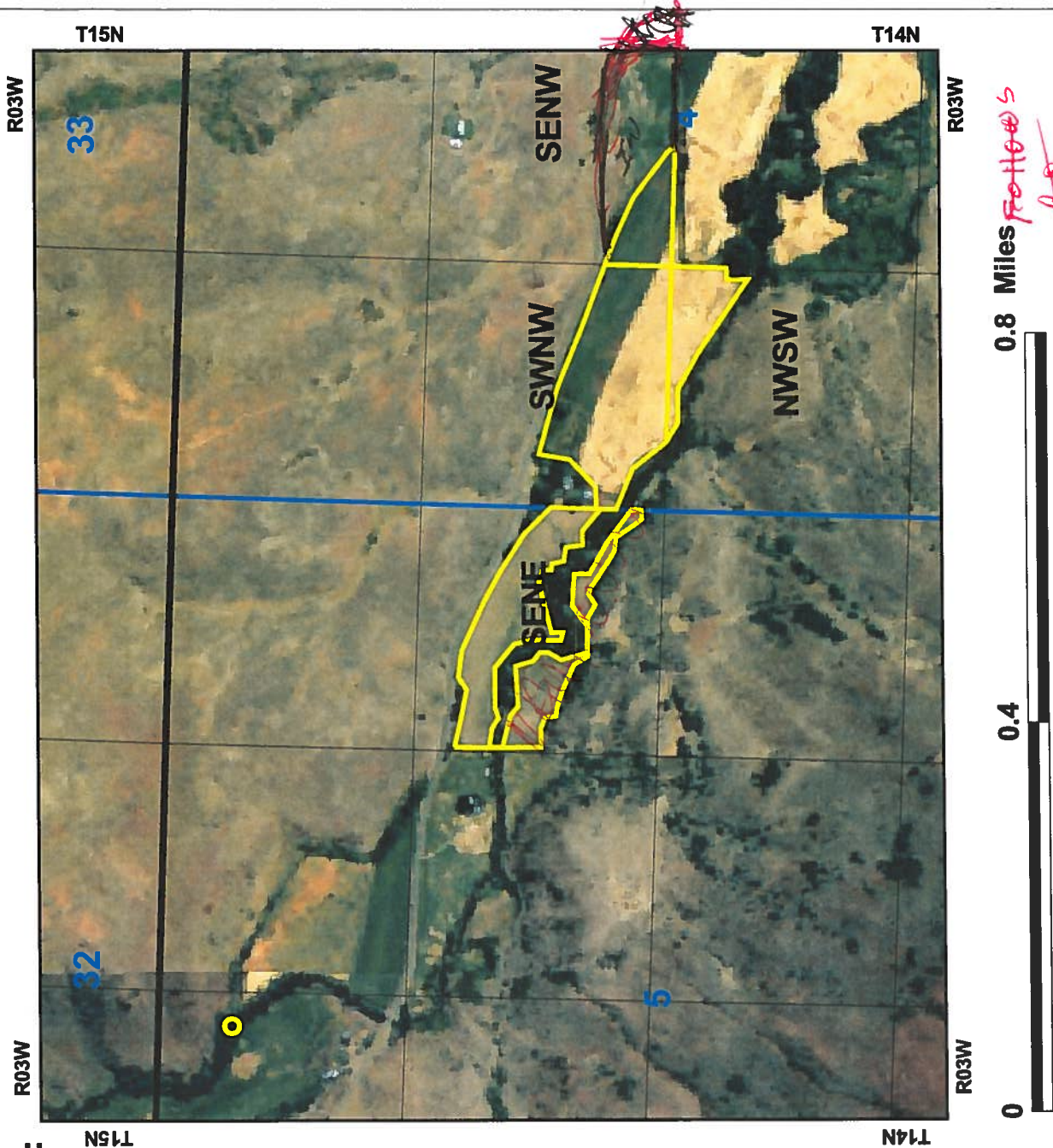
Legend

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



Washington County
IDWR Basin 67

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



0.8 Miles
They only irrigate north
of Pine Creek
since 1987.



Idaho Department of Water Resources

updated per Notice of Error reply

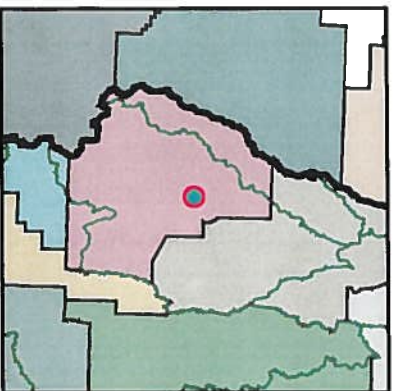
SRBA Recommendation:

67-204

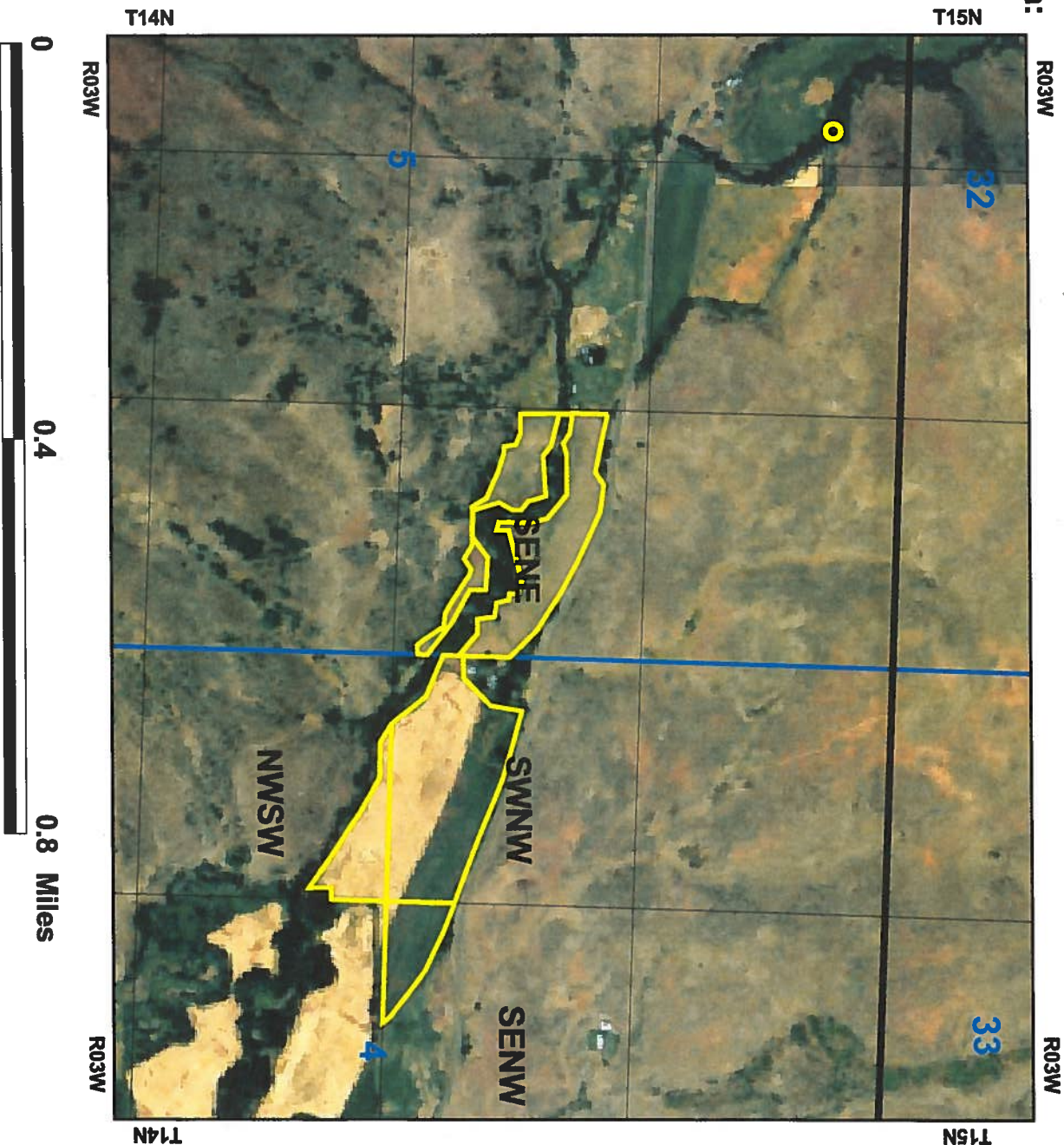
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by L. Graves
On Friday, November 17, 2006
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-204

WATER RIGHT NUMBER: 67-204

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

Priority Date: 05/01/1891 ✓

Basis: Decreed

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
PINE CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 4/15 ✓	0.120 CFS ✓	
	<i>10/31</i> Total Diversion:	0.120 CFS	

Location of Point(s) of Diversion

PINE CREEK *43* NE 1/4NW 1/4 Sec. 5, Twp 14N, Rge 03W, 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	
14N	03W	4							45.0	4.0			4.0						23.0
								3	2				2						7
14N	03W	5			10.0														10.0
					2.6														2.6

Total Acres: 33 ✓

*decreed per
duty of water*Conditions of Approval:

- THIS WATER RIGHT IS SHOWN TRANSFERRED TO P/A OF A67-00187 FOR ADDITIONAL WATER.

*Add E55 33 acre combined
limit
C05 accomplished x-fer P/A
F05 shared P/D
A-7 1-0-0 P/A - P/D*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-204

Remarks:

Comments:

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:
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:

Water Supply Bank:

Water Right Report 67-204

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FANNIE E BAKER , ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

PINE CREEK

IRRIGATION

[illegible]

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:

ENOCH BLOOMSTROM: The North half of the Southwest Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

HAROLD E KINNEY: The Northeast Quarter of Section 23, Township 15 North, Range 4 West, and 8 acres off the South side of the Southeast Quarter of the Southeast Quarter of Section 14, Township 15 North, Range 4 West Boise Meridian.

NATHANIEL H WELLS: A Tract 12 rods wide off of the East side of the Northeast Quarter, Section 23, and the Southwest Quarter of the Northwest Quarter, the West half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter Section 24, Township 15 North, Range 4 West Boise Meridian.

WILLIAM W ALLISON: The South half of the Southwest Quarter of Section 15, the North half of the Northwest Quarter and the North half of the Northeast Quarter of Section 22; and the North half of the Southwest Quarter of the Northeast Quarter of Section 22, Township 16 North, Range 4 West Boise Meridian.

JOSEPH C ALLISON: The Southwest Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and the South half of the Southwest Quarter of the Northeast Quarter of Section 22, Township 16 North, Range 4 West Boise Meridian.

JAMES W TINDALL: Lot 1, the East half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, Section 31, Township 15 North, Range 3 West Boise Meridian.

MICHAEL WARD: The Northeast Quarter Section 32, Township 15 North, Range 3 West Boise Meridian.

E R EDWARDS: The South half of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 28; the North half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the West half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the North half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 33, Township 15 North, Range 3 West Boise Meridian.

FANNIE E BAKER: The Southeast Quarter of the Southeast Quarter of Section 4; the East half of the Northeast Quarter of Section 9; and the Southwest Quarter of the Northwest Quarter of Section 10, Township 15 North, Range 4 West Boise Meridian.

MEMORAE SINGER COMPANY: The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southeast Quarter of Section 32 and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 33, all in Township 16 North, Range 4 West Boise Meridian, and the Southeast Quarter of the Southeast Quarter of Section 32, the Southwest Quarter of the Southwest Quarter of Section 33 in Township 16 North, Range 4 West Boise Meridian, and the Lots 3 and 4 of Section 4 in Township 15 North, Range 4 West Boise Meridian.

WILLIAM NIEMEYER: The West half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter, Section 24, the Northeast Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 25, Township 15 North, Range 4 West Boise Meridian, and Lots 3 and 4 Section 30, Township 15 North, Range 3 West Boise Meridian.

MARY MARQUETS: The Northwest Quarter of the Southwest Quarter Section 32, the East half of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, the

JUL 24 1903

Walter C Keithley
Elihu G Johnson

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

Pine Creek.

Angus R. McDonald

Nels Buhl

James H Phillips
C E Schmitz

O B Hulet

Enoch Bloomstrom

Harold K Kinney

Nathaniel H Wells

William W Allison

Joseph C Allinson

James W Tindell

Michael Ward

E E Edwards

Fannie R Baker

Denbrae Sheep Company

William Niemeyer

Mary Marquess

E M Fuller

John D Foreyth

James N Davis

Charles A Dwygood

John W Gibson

William A McKenzie

Elizabeth Webber for life

16 /

3 1/8

5 /

200 /

47 /

13 /

90 /

30 /

17 1/2

5 /

12 /

5 1/2

31 1/2

12 1/2

22 1/2

35 /

31 /

12 /

62 1/2

18 /

30 /

32 1/2

47 1/2

123 /

42 /

6 /

29 /

15 /

7 /

6 1/2

5 /

21 /

20 /

32 /

45 /

35 /

25 /

25 /

27 1/2

19 /

14 /

May 15, 1899 67 0179

May 15, 1899 67 0180

May 15, 1899 67 0181

May 15, 1877 67 0182

June 1, 1879 67 0183

June 1, 1905 67 0184

May 1, 1880 67 0185

June 1, 1884 67 0186 8043

June 5, 1884 67 0187

May 1, 1884 67 0188

May 1, 1904 67 0189

May 1, 1912 67 0190

June 1, 1886 67 0191

May 1, 1886 67 0192

May 1, 1889 67 0193

Aug 15, 1888 67 0194

Aug 15, 1888 67 0195

June 26, 1888 67 0196

May 6, 1899 67 0197

June 26, 1888 67 0198

May 1, 1906 67 0199

May 1, 1890 67 0200

June 3, 1890 67 0201

May 1, 1891 67 0202

May 1, 1891 67 0203

May 1, 1891 67 0204

May 1, 1900 67 0205

June 1, 1891 67 0206

May 1, 1892 67 0207

May 1, 1897 67 0208

— — — 67 0209

May 1, 1892 67 0210

May 1, 1893 67 0211

May 1, 1900 67 0212

May 1, 1900 67 0213

May 1, 1900 67 0214

May 1, 1900 67 0215

May 1, 1902 67 0216

May 1, 1900 67 0217

May 1, 1900 67 0218

May 1, 1901 67 0219

JUL 2 4 1895

Name	Amount (Inches)	Date	Land Description
PINE CREEK (Cont.)			
11 James W. Tindell	32 $\frac{1}{2}$ ✓	5--1-90 ✓	Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 15 N., R. 3 W.
12 Michael Ward	47 $\frac{1}{2}$ ✓	6--3-90 ✓	NE $\frac{1}{4}$ Sec. 32, T. 15 N., R. 3 W.
13 E. E. Edwards	123 ✓ 42 ✓	5--1-91 ✓ 5--1-91 ✓	S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 15 N., R. 3 W.
14 Fannie E. Baker	6 ✓ 29 ✓	5--1-91 ✓ 5--1-00 ✓	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 15 N., R. 4 W.
15 Denbrae Sheep Company	15 ✓	6--1-91 ✓	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 16 N., R. 4 W.; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 16 N., R. 4 W.; Lots 3 and 4 of Sec. 4, T. 15 N., R. 4, W. ✓
16 William Niemeyer	7 ✓ 6 $\frac{1}{2}$ ✓	5--1-92 ✓ 5--1-97 ✓	W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 15 N., R. 4 W.; Lots 3 & 4, Sec. 30, T. 15 N., R. 3 W. ✓
17 Mary Marquess	5 ✓ 21 ✓ 20 ✓	----- 5--1-92 ✓ 5--1-93 ✓	NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32; E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 4, Sec. 31, T. 15 N., R. 3 W.; & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 15 N., R. 4 W., & Lot 3, Sec. 6, T. 14 N., R. 3 W. ✓
18 E. M. Fuller	32 ✓	5--1-00 ✓	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, T. 15 N., R. 4 W.
19 John D. Forsyth	45 ✓	5--1-00 ✓	E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 11, T. 15 N., R. 4 W.
20 James N. Davis	35 ✓	5--1-00 ✓	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 15 N., R. 4 W.
21 Charles A. Haygood	25 ✓ 25 ✓	5--1-00 ✓ 5--1-02 ✓	W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 15 N., R. 4, W.; and Lot 4, Sec. 18, T. 15 N., R. 3 W. ✓
22 John W. Gibson	27 $\frac{1}{2}$ ✓	5--1-00 ✓	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 15 N., R. 4 W.
23 Wm. A. McKenzie	19 ✓	5--1-00 ✓	Lot 2 & 3, Sec. 3, T. 15 N., R. 4 W.; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 16 N., R. 4 W.

JUL 24 1996