

08/15/2006

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

RIGHT NUMBER: 67-402

NAME AND ADDRESS: RODNEY M GREENWOOD
2675 COUNCIL RD
COUNCIL ID 83612

ZERRY L GREENWOOD
2675 COUNCIL RD
COUNCIL ID 83612

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/30/1895

POINT OF DIVERSION:

T17N R02W S9 NENWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R02W S09	NENW	4.20	T17N R02W S09	SWNW	3.20
T17N R02W S09	SENW	21.00			

28.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 77.2 acres in a single irrigation season. Combined Right Nos.: 67-402 & 67-4157

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



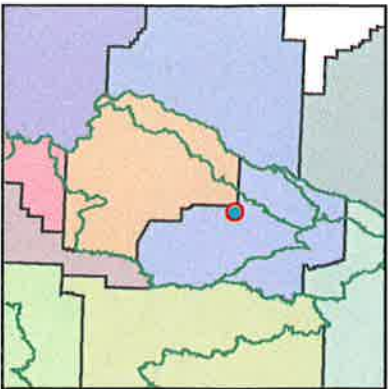
Idaho Department of Water Resources

SRBA Recommendation:

67-402
(Irrigation)

Legend

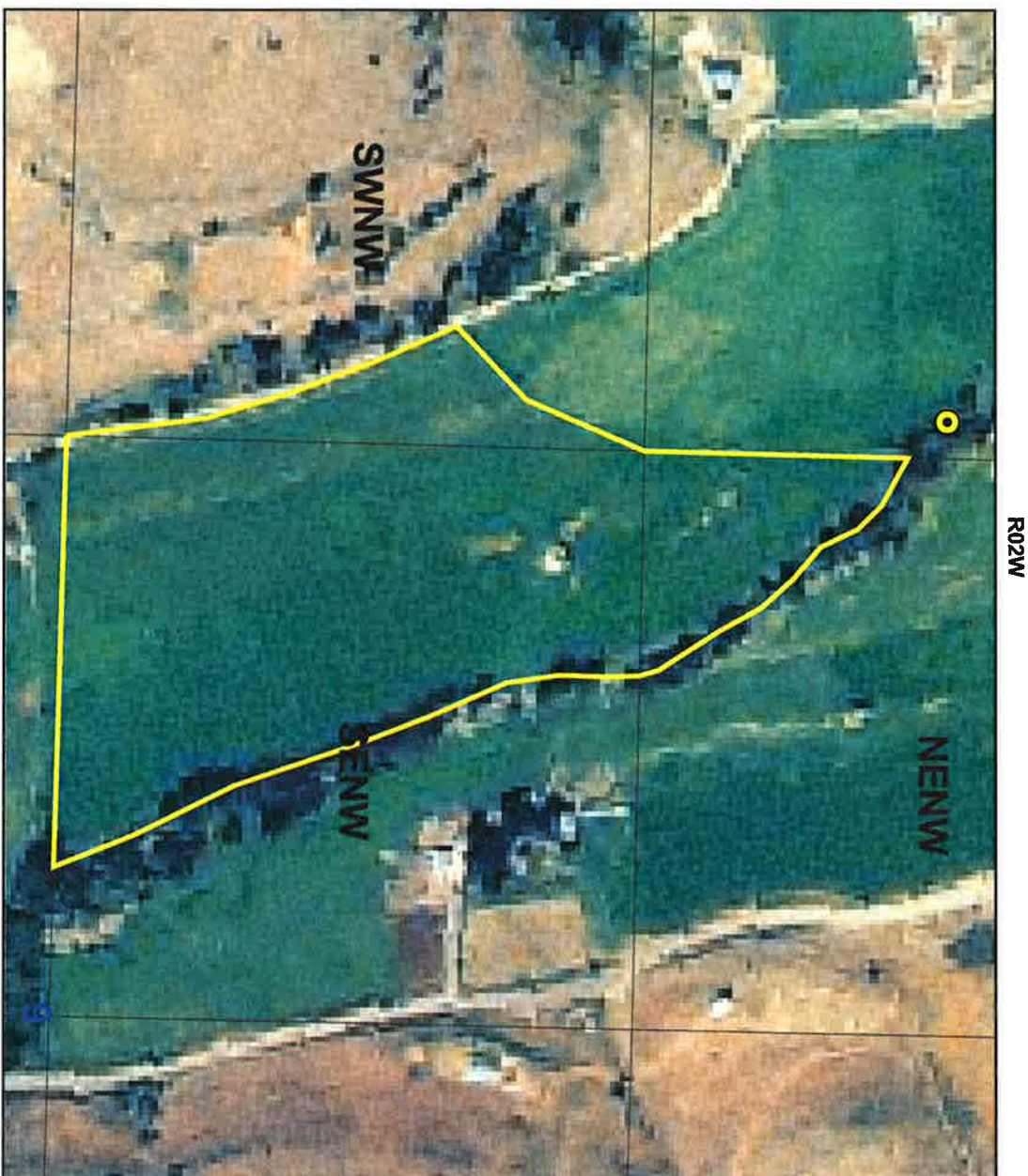
-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Adams County
IDWR Basin 67



T17N



0

0.2

0.4 Miles

Prepared by C. Saxton
On Tuesday, August 15, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-402 V1

WATER RIGHT NUMBER: 67-402 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY M GREENWOOD 2675 COUNCIL RD COUNCIL, ID 83612 (208) 253-0244
Current Owner	ZERRY L GREENWOOD 2675 COUNCIL RD COUNCIL, ID 83612 (208) 253-0244
Original Owner	P H MILLER , ID
Original Owner	ELVA M GREENWOOD 2673 COUNCIL CUPRUM RD COUNCIL, ID 83612-5010
Original Owner	DALLAS E GREENWOOD 2673 COUNCIL CUPRUM RD COUNCIL, ID 83612-5010 (208)253-4898

Priority Date: 04/30/1895

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

HORNET CREEK	NE1/4NW1/4NW1/4	Sec. 9,	Twp 17N,	Rge 02W, B.M.
ADAMS County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N	02W	9					4.2		3.2	21.0									28.4

Total Acres: 28.4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-402 V1

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 77.2 acres in a single irrigation season. Combined Right Nos.: 67-402 & 67-4157

Remarks:Comments: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: AND/OR
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		77.2

Combined Water Rights: 67-402

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	8/31/2004 1:26:21 PM	segbert			Active
POD	8/31/2004 1:26:34 PM	segbert			Active
Source	8/31/2004 1:27:02 PM	segbert			Active
POU	8/31/2004 1:27:47 PM	segbert			Active
Use	8/31/2004 1:33:48 PM	segbert			Active
Season	8/31/2004 1:34:14 PM	segbert			Active
Quantity	8/31/2004 1:34:58 PM	segbert			Active
Contacts	8/15/2006 4:11:46 PM	csaxton			Active
Priority Date	8/15/2006 4:11:58 PM	csaxton			Active
POD	8/15/2006 4:12:20 PM	csaxton			Active
Source	8/15/2006 4:13:27 PM	csaxton			Active
POU	8/15/2006 4:13:35 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-402 V1

Use	8/15/2006 4:14:25 PM	csaxton	Active
Season	8/15/2006 4:14:43 PM	csaxton	Active
Quantity	8/15/2006 4:14:56 PM	csaxton	Active
Summary		08/15/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/15/2006 4:13:14 PM	csaxton	Updated shape
POU	8/15/2006 4:14:38 PM	csaxton	Updated PLS for Active POU
Summary	8/15/2006 4:17:04 PM	csaxton	(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? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 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?
Contacts	8/15/2006 4:12:17 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	8/15/2006 4:12:28 PM	csaxton	(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? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/15/2006 4:12:50 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	8/15/2006 4:13:31 PM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-402 V1

Source	8/15/2006 4:13:57 PM	csaxton	(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? (No) 11. Is a Source remark and/or condition required?
POU	8/15/2006 4:14:05 PM	csaxton	(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? (No) 14. Is a POU remark and/or condition required?
POU	8/15/2006 4:14:24 PM	csaxton	Updated shape for Active POU
Use	8/15/2006 4:14:56 PM	csaxton	(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) 13. Is a Purpose of Use remark and/or condition required?
Season	8/15/2006 4:15:14 PM	csaxton	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/15/2006 4:15:27 PM	csaxton	(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? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-402 V1

Priority Date	8/31/2004 1:26:22 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?
POD	8/31/2004 1:26:35 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
Source	8/31/2004 1:27:03 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	8/31/2004 1:27:47 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?
Use	8/31/2004 1:33:48 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?
Season	8/31/2004 1:34:14 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?
Quantity	8/31/2004 1:34:59 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? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?

Water Supply Bank: