

12/19/2006

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

RIGHT NUMBER: 67-4225

NAME AND ADDRESS: REBECCA K SNORGRASS
2644 UPPER DALE RD
COUNCIL ID 83612

FLOYD A SNORGRASS
2644 UPPER DALE RD
COUNCIL ID 83612

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T17N R02W S9 SWNENW 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	0.120 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R02W S09	NESW	30.00	T17N R02W S09	SESW	26.00
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56 ACRES TOTAL

Right Nos. 67-4255 and 67-395 are limited to the irrigation of a combined total of 56 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS IS A FLOOD 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 - Beneficial Use



Idaho Department of Water Resources

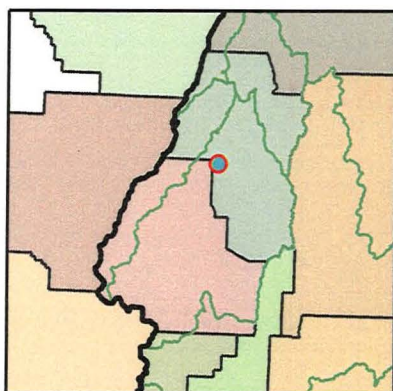
SRBA Recommendation:

67-4225

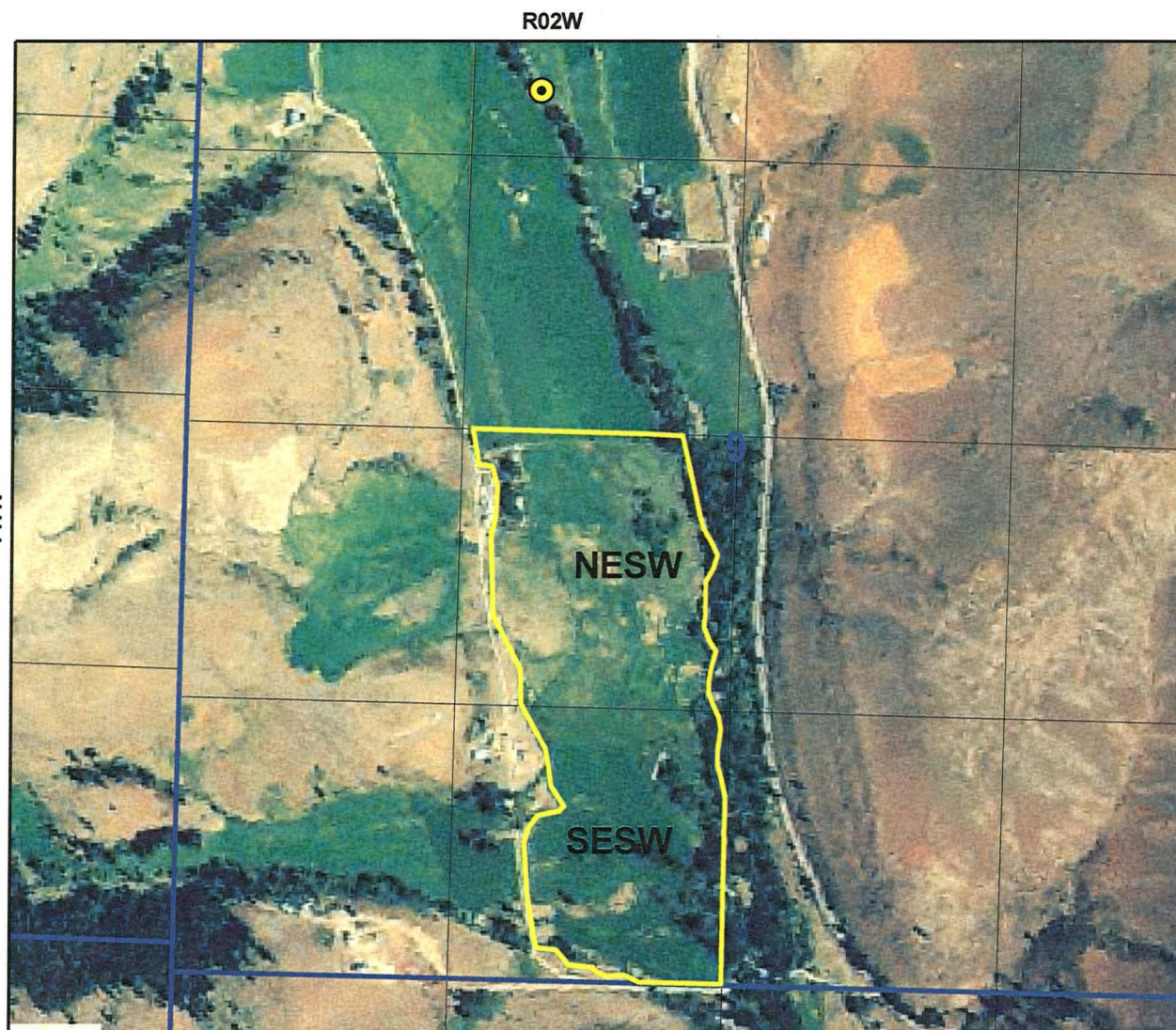
(Irrigation)

Legend

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

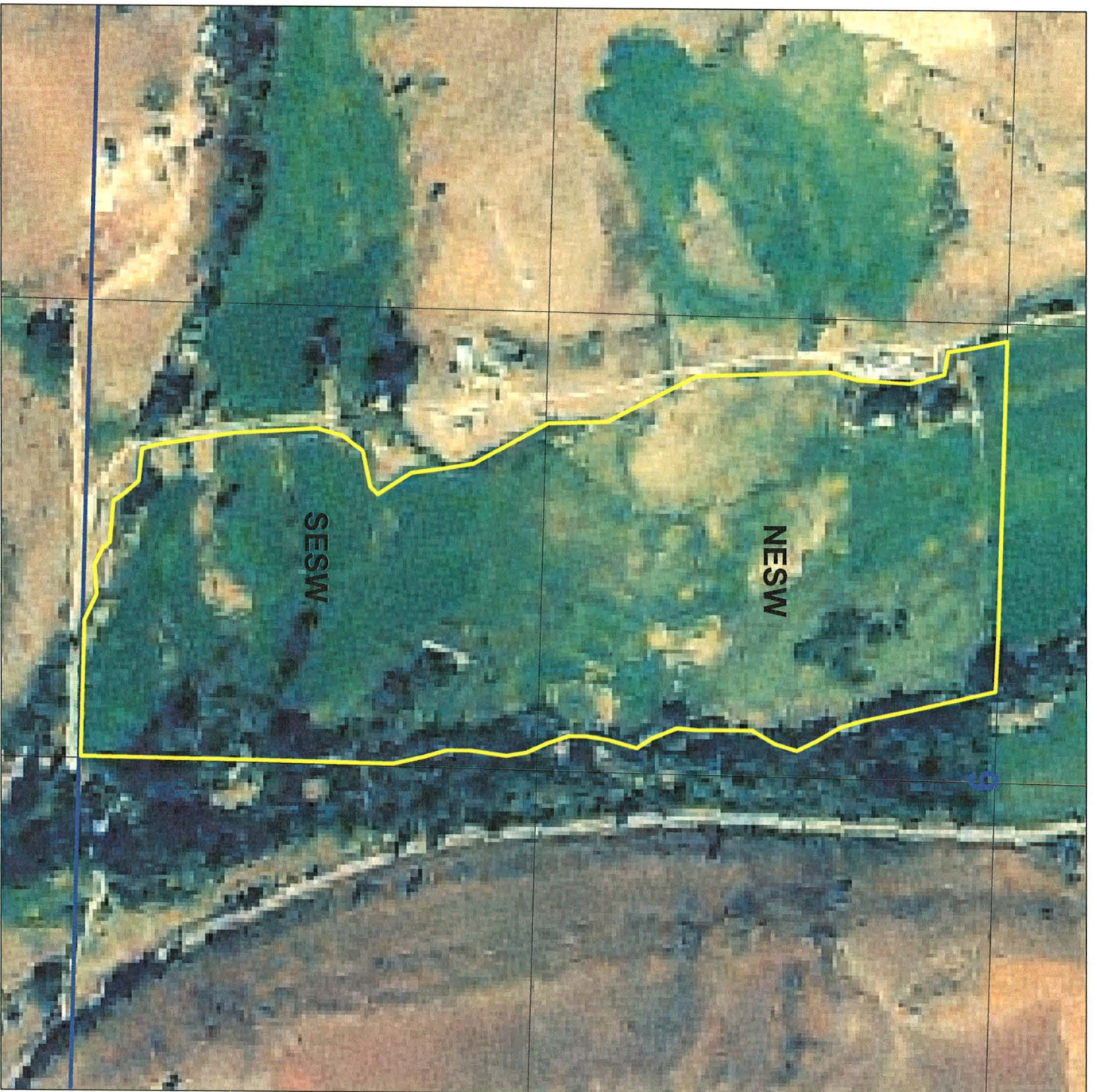


Adams County
IDWR Basin 67



Prepared by J. Dean
On Tuesday, December 19, 2006
1987/88 Aerial Photography

67-4225



Adjudication Recommendation Report 67-4225 V1

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4225 V1

Comments:

1. mmount 9/11/2006 Quantity

Comment: Recommended amount to bring cfs up to 1 inch per acre with overlap of decreed right 67-395

2. jdean 12/19/2006 NOE

Comment: Reviewed the shape and modified. Review did not change the overall number of acres. Also reviewed the quantity. 67-395 should have been recommended for 1 cfs and so this claim was reduced to keep the balance at 1"/acre (1.12 cfs for 56 acres).

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: OR

Water District Number:

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>
Contacts	9/11/2006 1:37:17 PM	mmount			Active
Priority Date	9/11/2006 1:38:30 PM	mmount			Active
POD	9/11/2006 1:39:03 PM	mmount			Active
Source	9/11/2006 1:39:25 PM	mmount			Active
POU	9/11/2006 1:39:48 PM	mmount			Active
POU	9/11/2006 1:39:51 PM	mmount			Active
Use	9/11/2006 1:40:12 PM	mmount			Active
Season	9/11/2006 1:40:51 PM	mmount			Active
Quantity	9/11/2006 1:41:27 PM	mmount			Active
Quantity	9/11/2006 1:41:38 PM	mmount			Active
POU	9/11/2006 1:43:31 PM	mmount			Active
Summary			09/11/2006	mmount	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4225 V1

POU	12/19/2006 1:47:49 PM	jdean	Updated shape for Active POU
POU	12/19/2006 1:47:59 PM	jdean	Updated PLS for Active POU
POU	9/11/2006 1:26:41 PM	mmount	Updated shape for Active POU
Contacts	9/11/2006 1:37:17 PM	mmount	(No) 1. Do you want to schedule an appointment? Comment for 1: desk review
General	9/11/2006 1:38:30 PM	mmount	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit
POD	9/11/2006 1:39:04 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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?
Source	9/11/2006 1:39:25 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Aerial photo
POU	9/11/2006 1:39:49 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4225 V1

POU	9/11/2006 1:39:52 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photo
Use	9/11/2006 1:40:12 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Aerial photo
Season	9/11/2006 1:40:52 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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	9/11/2006 1:41:27 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Direct overlap with decreed right 67-395

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4225 V1

Quantity	9/11/2006 1:41:39 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - Direct overlap with decreed right 67-395
POU	9/11/2006 1:43:31 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photo
POD	9/11/2006 1:26:12 PM	mmount	Updated shape
POU	9/11/2006 1:31:15 PM	mmount	Updated PLS for Active POU
Summary	9/11/2006 1:45:06 PM	mmount	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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? (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?

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED
DEC 07 2006

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: 67-4225

REBECCA K SNORGRASS
2644 UPPER DALE RD

COUNCIL ID 83612
Telephone Number: (208)253-4463

FLOYD A SNORGRASS
2644 UPPER DALE RD
COUNCIL ID 83612
Telephone Number: (208)253-4463

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

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

the area that is taken out on the map is mostly orchard and is all irrigated.

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

the piece taken out on map is all irrigated from ditch that runs through this property

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

DATE: 12/4/06

SIGNATURE: Floyd A. Snorgrass

Please print your name: Floyd A. Snorgrass

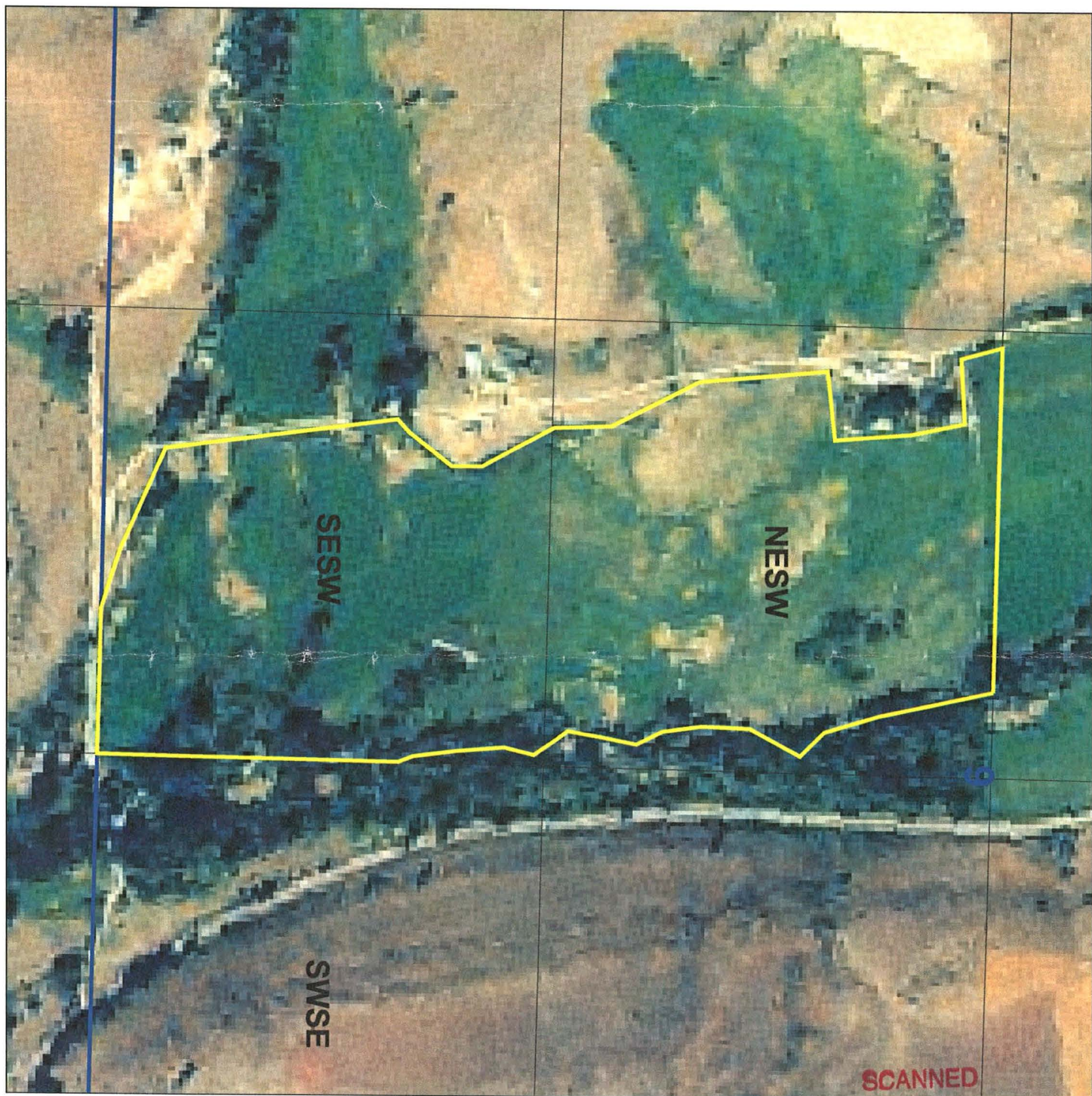
IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Reviewed and modified shape, but it did not increase the acres that were recommended. Changed 67-395 to recommended for full decreed amount and reduced the diversion for this claim to 1"/acre. JD 12/19/06

SCANNED

DEC 08 2006

67-4225



SCANNED

DEC 08 2006

09/11/2006

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

RIGHT NUMBER: 67-4225
NAME AND ADDRESS: REBECCA K SNORGRASS
2644 UPPER DALE RD
COUNCIL ID 83612
FLOYD A SNORGRASS
2644 UPPER DALE RD
COUNCIL ID 83612

SOURCE: HORNET CREEK TRIBUTARY: WEISER RIVER
QUANTITY: 0.420 CFS
PRIORITY DATE: 05/10/1918
POINT OF DIVERSION:

T17N R02W S9 SWNENW 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	0.420 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R02W S09	NESW	29.00	T17N R02W S09	SESW	27.00
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56 ACRES TOTAL

total Right Nos. 67-4255 and 67-395 are limited to the irrigation of a combined
of 56 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS IS A FLOOD 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 - Beneficial Use



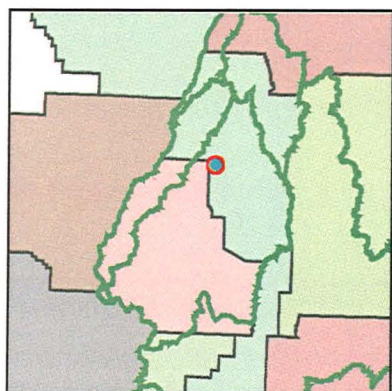
Idaho Department of Water Resources

SRBA Recommendation:

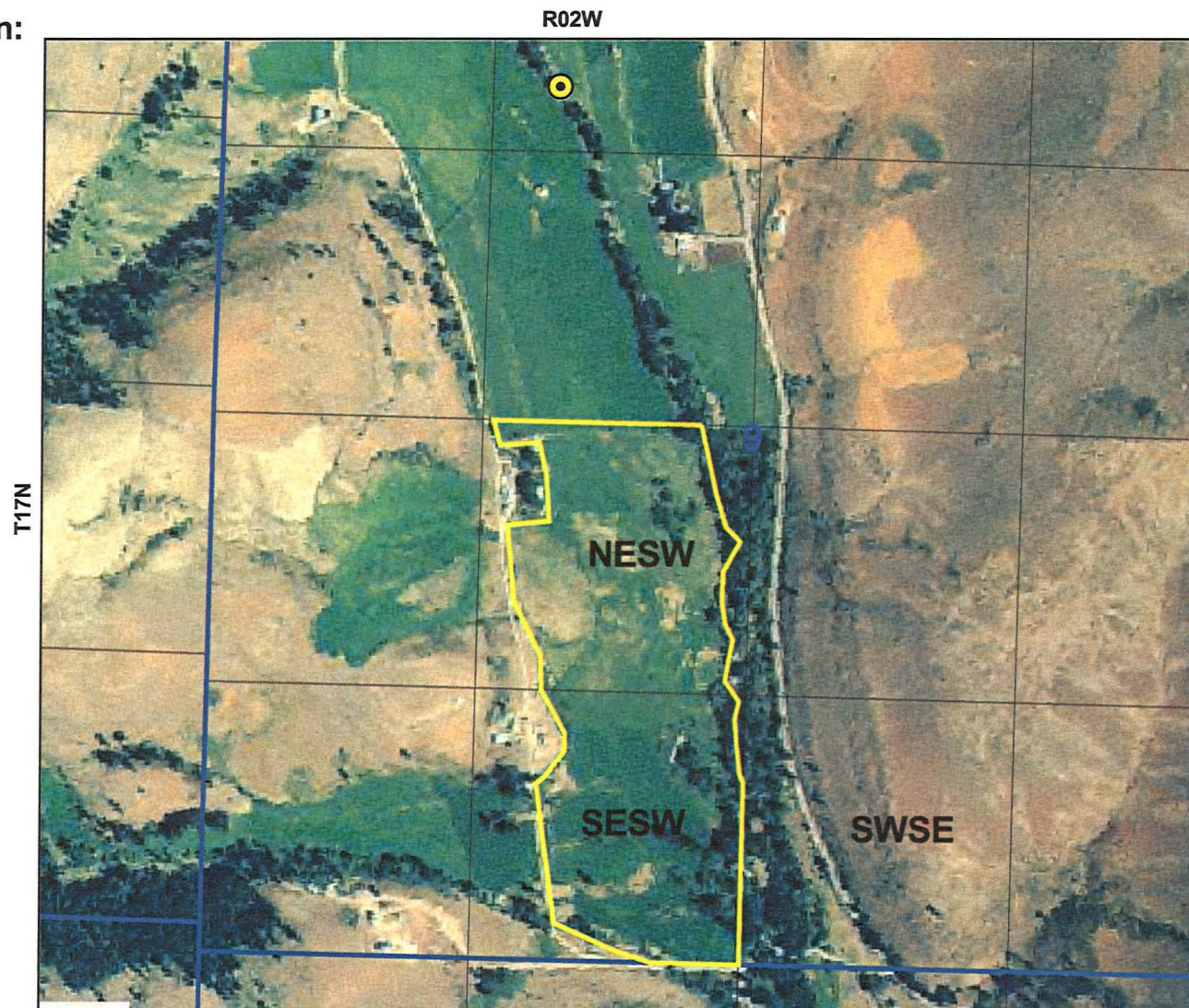
67-4225

Legend

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



Adams County
IDWR Basin 67

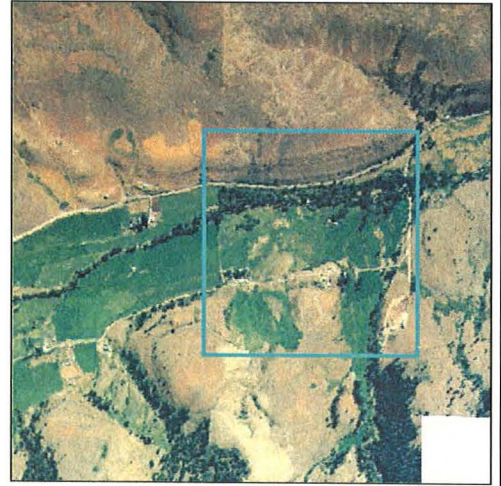
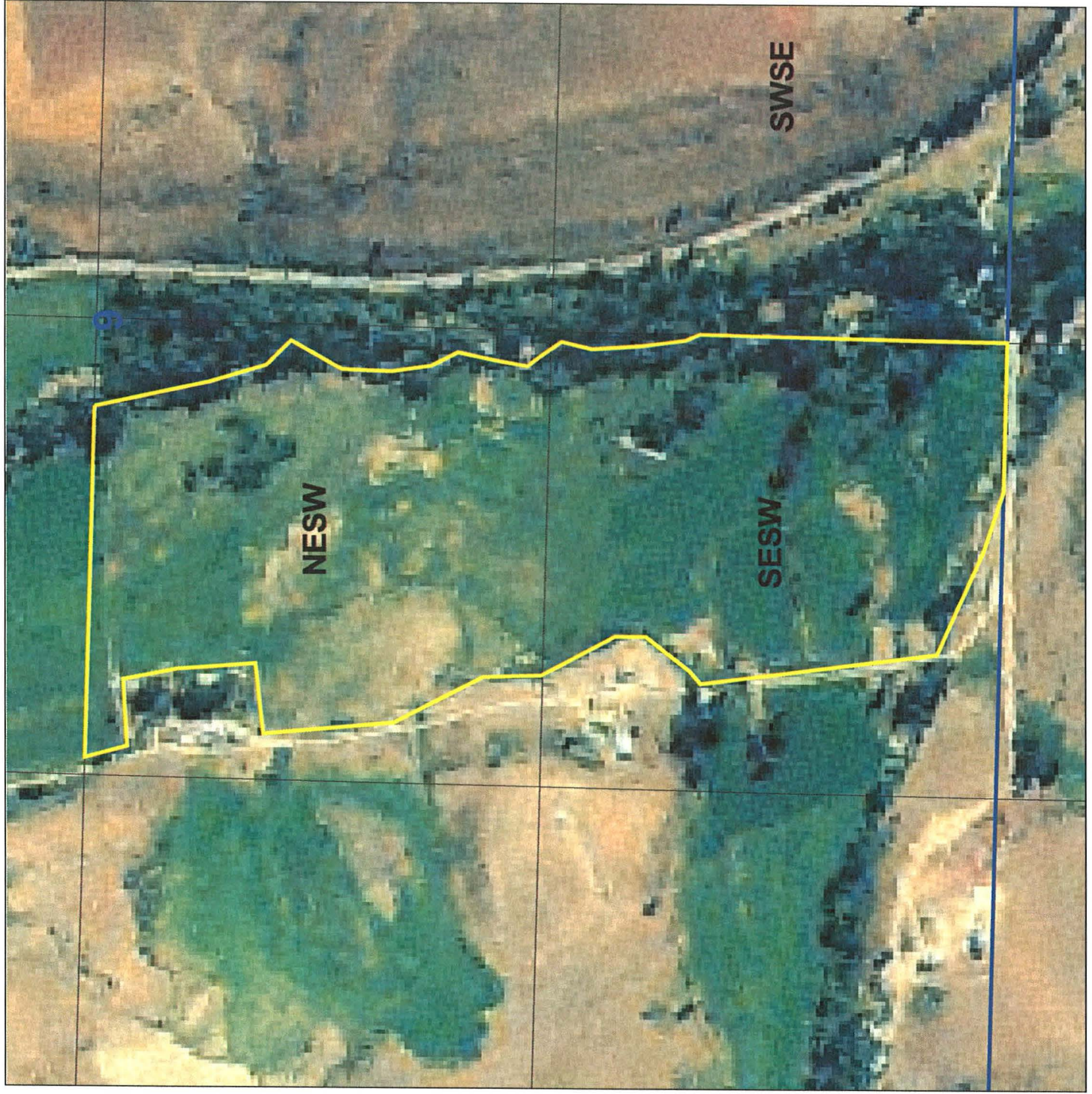


0 0.4 0.8 Miles



Prepared by M. Mount
On Monday, September 11, 2006
1987/88 Aerial Photography

67-4225



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

AFFIDAVIT

67-4225)
)
)
State of Idaho)
County of Adams)

Nellie M. (Canaan) Roberts being first duly sworn,
deposes and says: I moved to the property shown
in the enclosed photos in 1917 with
my Grandparents. I was 4 years old at
that time. I remember playing in the
water of the ditch that ran through
our yard. My grandparents were
Jasper and Mary Canaan. I lived on the
property from 1917 to 1968 except for 2 years.
During the years that I lived there, we used
all available water to irrigate our meadow hay
ground.

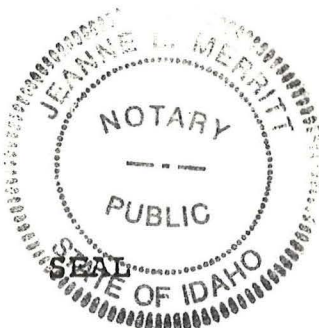
Nellie M. Roberts
(Signature)

Subscribed and sworn to before me this
day 14 of September, 2005.

Jeanne L. Murritt
(Notary Public)

Residing at Council SD.

My Commission Expires 3/13/08.



John D. Elliott and
Jude R. Elliott,

NOTICE OF WATER RIGHT.

8.

—To —

Dated June 1st, 1901,
Filed June 3rd, 1901,
Book "A" Water Rights page 156.

The Public.

That we the undersigned, hereby claim the use of the waters of Hornet Creek in Washington County, Idaho, to the extent of 200 miners inches(4) cubic feet per second.

It is intended to divert said water at or near a point where a copy of this notice is posted and more definitely described as follows:—being the South East Quarter of the North West Quarter of Section 9 Township 17 North of Range 2 W.B.M., in the land claimed by O.T. Shearer, the ditch located in 1888 has been in constant use since the above date.

The purpose for which said water is intended to be used, is for irrigation and domestic purposes. The place of intended use is on the South West Quarter of Section 9 Township 17 North of Range 2 West.

It is intended to have the work for diversion and use of said water as aforesaid completed within five years.

Witness my hand and seal at Council, Idaho, this 1st day of June, 1901.

(signed)

John D. Elliott,

Jude R. Elliott.

Subscribed and sworn to by John D. Elliott, before W.M. Perrill, Notary Public, Washington County, Idaho. Seal.

Transcribed from Book "2" Water Rights page 83 Washington County, records.

This is a page copied from our abstract of title and is in reference to claim # 67-4225

17

SCANNED

SFP 19 2005

Rebecca K. Snodgrass

! the point of diversion is app. 3/8 mile up
Hornet Creek above our property

Idaho Department of Water Resources



Adjudication Claim Number: **67-4225**

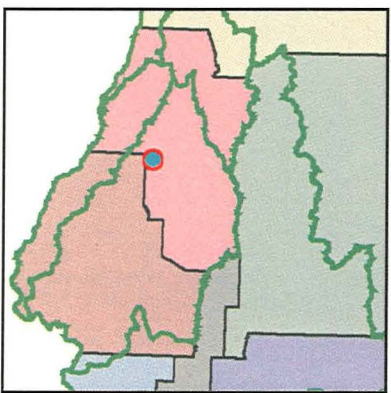
T17N R02W

SEP 19 2005

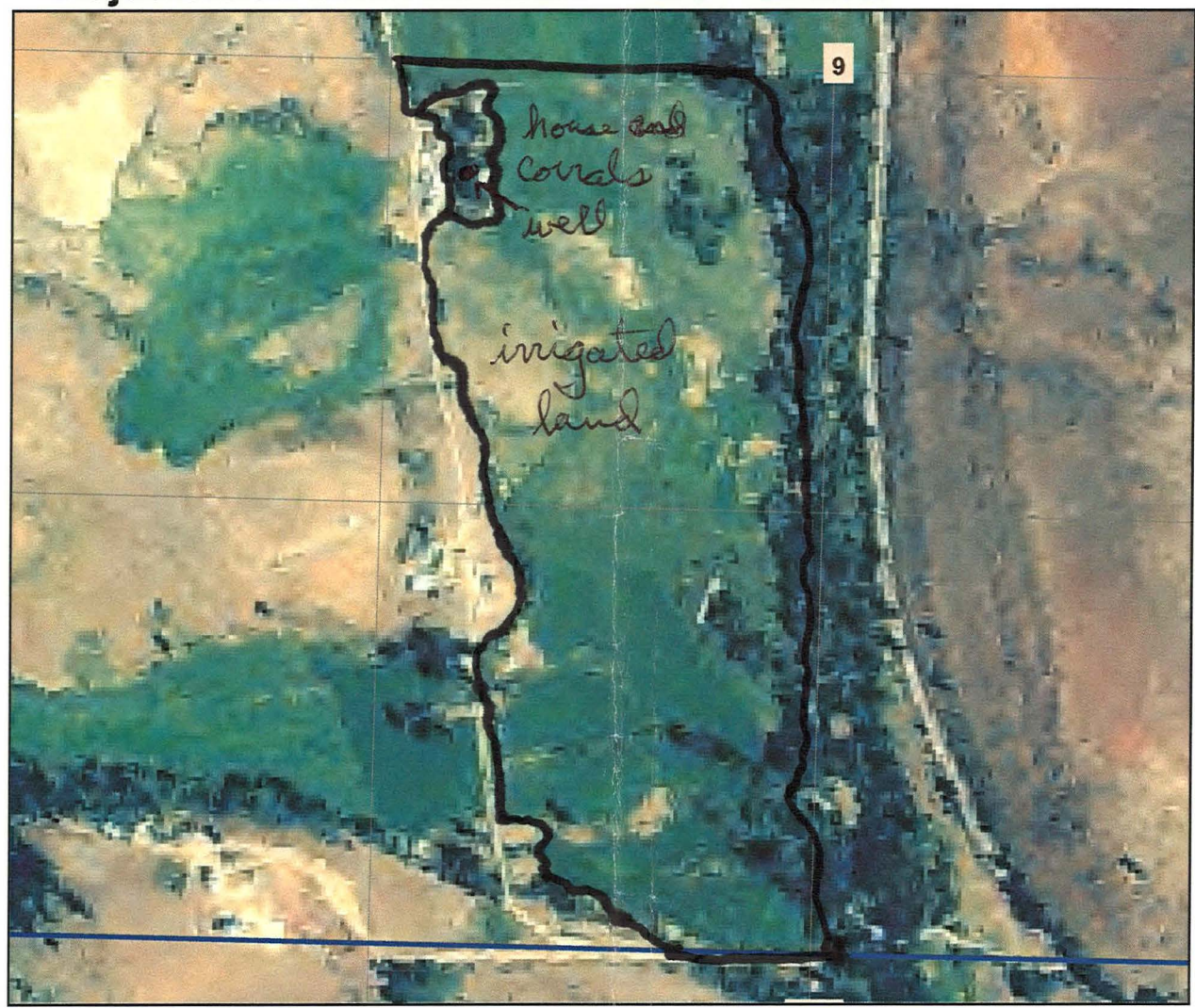
SCANNED

Legend

- PLS Sections
- GCDBQuarter Quarters



Adams County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, September 1, 2005
1987 Aerial Photography

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: A67-04225
Date Received: 10/02/1989
Receipt No: MOO 4759
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD A. SNORGRASS 208-253-4463
Address: HORNET CREEK RT.
BOX 2405
COUNCIL, ID 83612

OR

Name: REBECCA K. SNORGRASS 208-253-4463
Address: HORNET CREEK RT.
BOX 2405
COUNCIL, ID 83612

2. Date of Priority: JUN 01, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02W	9	SW	NE	NW		ADAMS

5. Description of diverting works:
DIV. THRU HEADGATE FROM CK., GRAVITY FLOW, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING(55 HD. STOCK).

A67-04225

Page 1

Date: 10/02/89 **SCANNED**
APR 08 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	02W	9	NE	SW		IRR	35.0
			SE	SW		IRR	35.0
Section Acres							70.0
Total Acres							70.0

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:

CLAIM NO. A67-00395 - DECREED RTS.

14. Remarks:

THIS IS A FLOOD WATER RIGHT.

15. Basis of Claim: STATUTORY CLAIM

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: 0

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): Floyd A. Snorgason Date: Oct 2, 1989
Rebecca K. Snorgason Date: Oct 2, 1989

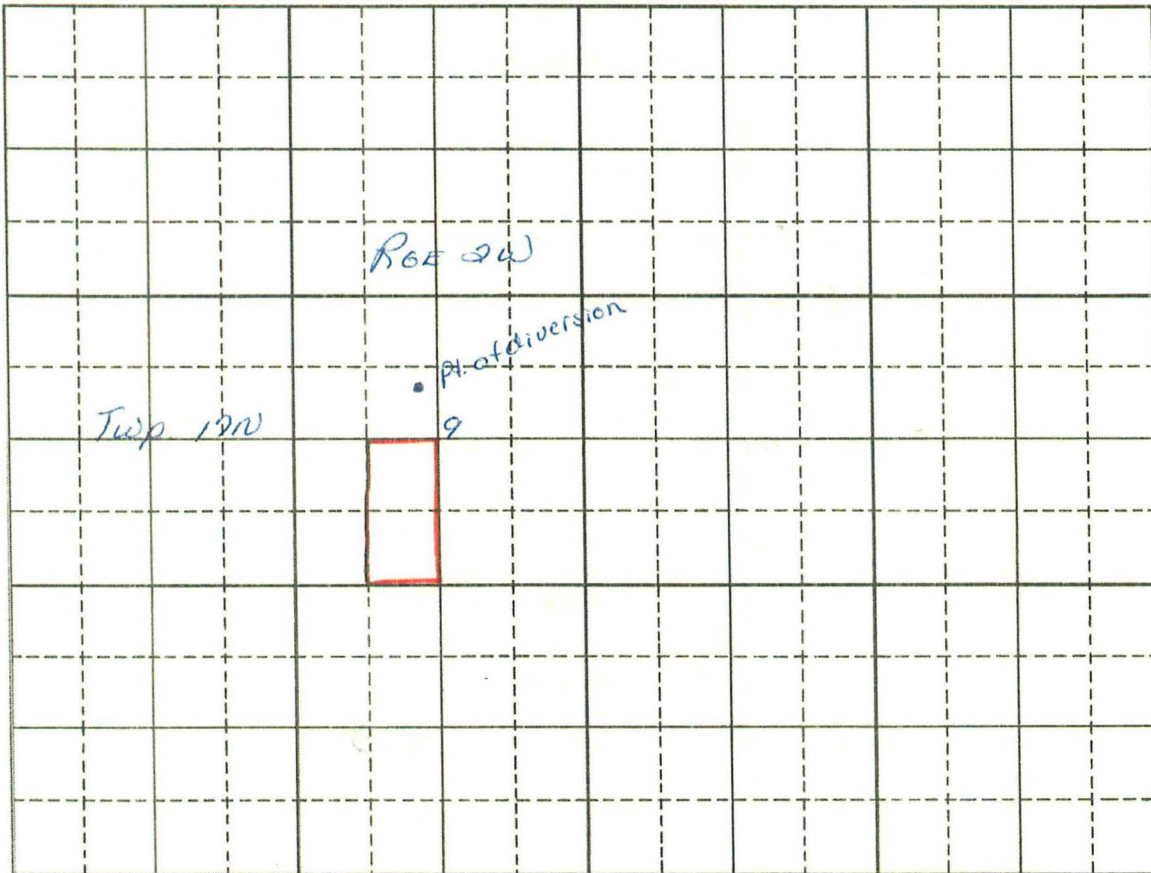
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of October 19 89 Jan Shunte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 16th day of September, 19 77.

Rebecca K. Snodgrass
(Claimant)

Katherine J. Weaver
Notary Public

Residing at Boise

My commission expires 6-15-81

For Department Use Only

Received by <u>jo</u>	Date <u>9/16/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jo</u>	Date <u>9/16/77</u>		claimant by:	
\$10.00 fee received by <u>RTN</u>	Date <u>9-16-77</u> # <u>9269</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>Adams County Record</u>				
Dates <u>Sept 29-4 Oct 6</u>				