

11/14/2006

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: 67-4229

ROBERT D RENFRO
13366 CHICKEN DINNER RD
CALDWELL ID 83607
Telephone Number: (208) 454-2785

LOIS C RENFRO
13366 CHICKEN DINNER RD
CALDWELL ID 83607
Telephone Number: (208) 454-2785

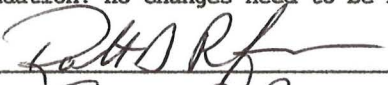
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

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

DATE: 11-29-06

SIGNATURE: 

Please print your name: ROBERT D RENFRO

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

SCANNED
DEC 11 2006

09/01/2006

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

RIGHT NUMBER: 67-4229

NAME AND ADDRESS: ROBERT D RENFRO
13366 CHICKEN DINNER RD
CALDWELL ID 83607

LOIS C RENFRO
13366 CHICKEN DINNER RD
CALDWELL ID 83607

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.231 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T17N R01W S30 SWSENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.231 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S30 SWSE 30.00 T17N R01W S31 NWNE 14.00

44 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 30.8 acres in a single irrigation season. Combined Right Nos.: 67-377 and 67-4229

This right is limited to the irrigation of 30.8 acres within the place of use described above 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 - Beneficial Use



Idaho Department of Water Resources

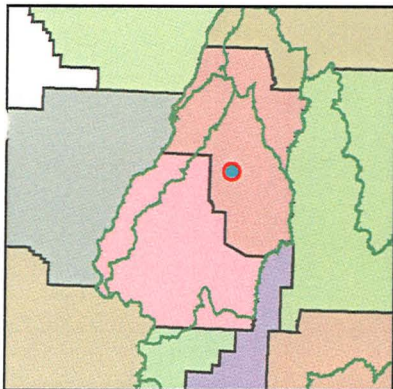
SRBA Recommendation:

67-4229

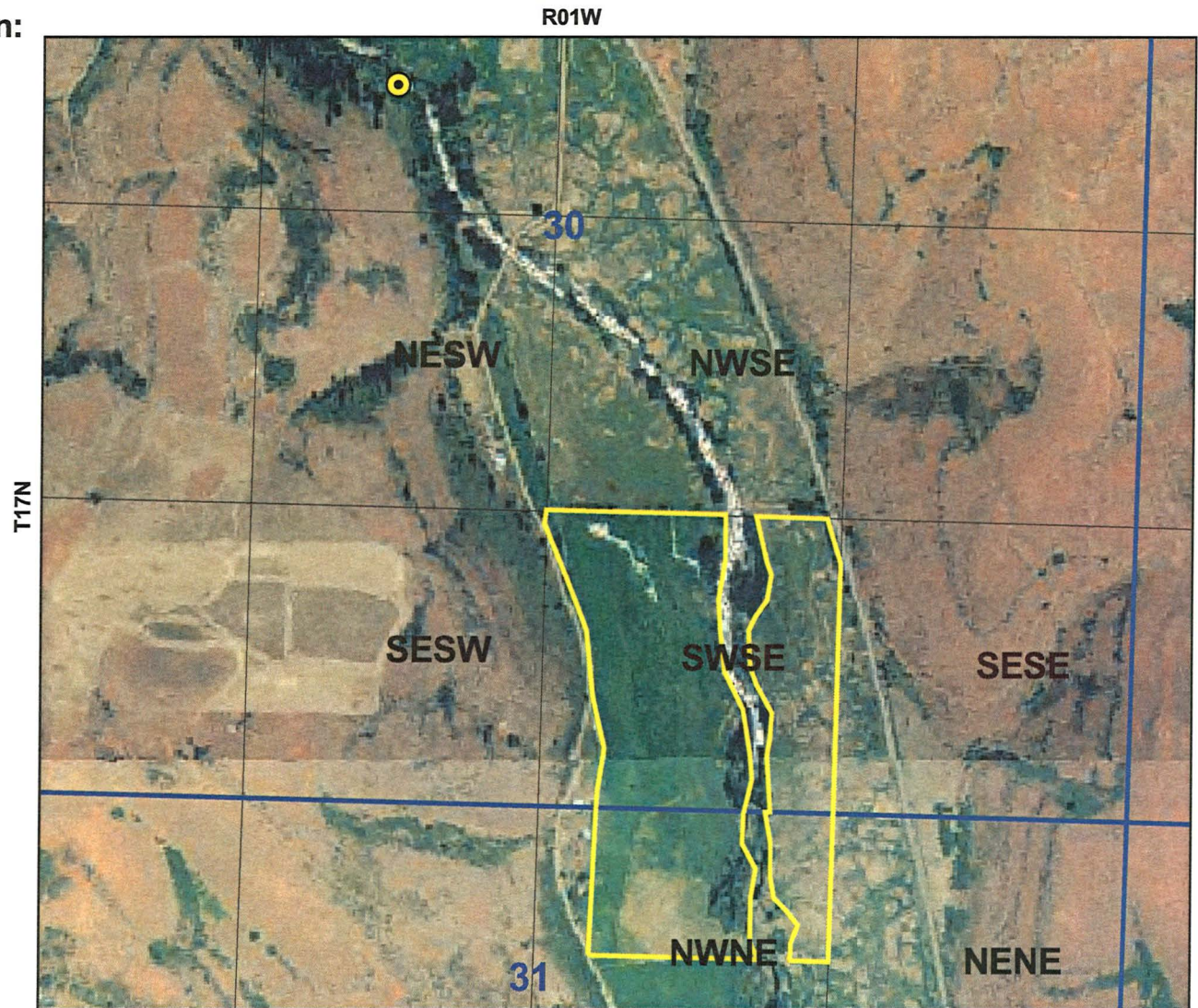
(Irrigation)

Legend

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



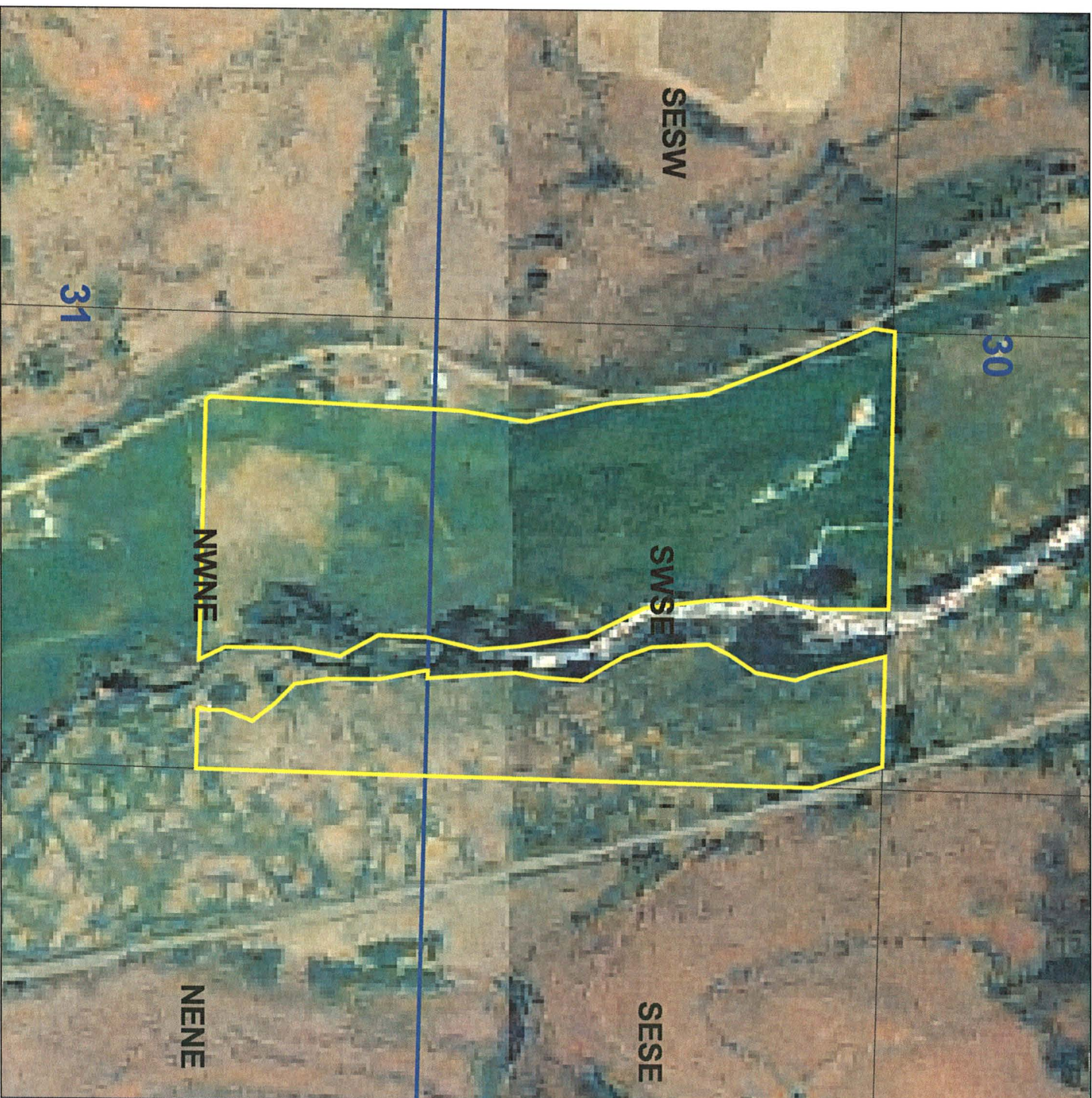
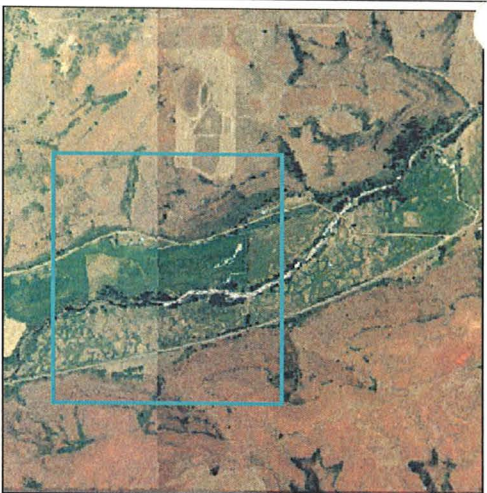
Adams County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by C. Saxton
On Friday, September 1, 2006
1987/88 Aerial Photography

67-4229



Adjudication Recommendation Report 67-4229 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RAYMOND L MAGNUSON HORNET CREEK RD COUNCIL, ID 83612
Original Owner	HESTER E MAGNUSON HORNET CREEK RD COUNCIL, ID 83612
Original Owner	E LUCILLE MOORE 1005 BRENNAN POCATELLO, ID 83201 (208)237-4688
Original Owner	RAY H MOORE 1005 BRENNAN POCATELLO, ID 83201
Current Owner	ROBERT D RENFRO 13366 CHICKEN DINNER RD CALDWELL, ID 83607 (208) 454-2785
Current Owner	LOIS C RENFRO 13366 CHICKEN DINNER RD CALDWELL, ID 83607 (208) 454-2785

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	0.231 CFS	
	<u>Total Diversion:</u>	0.231 CFS	

<u>Location of Point(s) of Diversion</u>		
HORNET CREEK	SW1/4SE1/4NW1/4	Sec. 30, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
17N	01W	30															30.0		30.0
17N	01W	31	14.0																14.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4229 V1

Total Acres: 44

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 30.8 acres in a single irrigation season. Combined Right Nos.: 67-377 and 67-4229
2. K06 This right is limited to the irrigation of 30.8 acres within the place of use described above in a single irrigation season.
3. 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.

Remarks:Comments:

1. csaxton 9/1/2006 Diversion Rate

Comment: Diversion rate recommended to bring use of this right and decreed water up to one full inch per acre.

2. csaxton 9/1/2006 POU

Comment: Affidavit from Jack Rubelt addresses not only his property, but property for Johnny Harrington and Robert Renfro. The affidavit addresses irrigation of the ground on the east side of Hornet Creek. The affidavit supports that there was historical irrigation on the east side of the creek but there is no concreted evidence of when this irrigation took place. In conversations with Johnnie and Lyle Harrington, they guessed it was in the 30s. However, Jack Rubelt can verify the irrigation of the acreage on the east side of the creek as of 1974. Recommend this as an accomplished change in POU, but limit the acreage to that decreed. Flood water is limited to that of the decreed acreage. Thus the total POU recommended will be larger than what can be irrigated with the recommended water rights. There is a possibility that if all acres are irrigated during a particular season, then storage water is used to irrigate the additional ground.

3. csaxton 9/1/2006 From Claim (1)

Comment: Ownership changed by DB 3/15/2002

4. csaxton 9/1/2006 From Claim (2)

Comment: Same place of use as 67-377.

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

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4229 V1

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	9/1/2006 9:14:44 AM	csaxton			Active
Priority Date	9/1/2006 9:15:33 AM	csaxton			Active
POD	9/1/2006 9:15:44 AM	csaxton			Active
Source	9/1/2006 9:17:32 AM	csaxton			Active
POU	9/1/2006 9:18:48 AM	csaxton			Active
Use	9/1/2006 9:19:58 AM	csaxton			Active
Season	9/1/2006 9:20:44 AM	csaxton			Active
Quantity	9/1/2006 9:22:35 AM	csaxton			Active
Summary			09/01/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	9/1/2006 9:25:52 AM	csaxton	(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? (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?
POD	9/1/2006 9:16:47 AM	csaxton	Updated shape
POD	9/1/2006 9:16:59 AM	csaxton	Updated PLS
Contacts	9/1/2006 9:14:46 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review.
POD	9/1/2006 9:15:46 AM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4229 V1

General	9/1/2006 9:15:35 AM	csaxton	(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? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Flood water to suppliment decreed water. Give one day after decree.
Source	9/1/2006 9:17:34 AM	csaxton	(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 - Flood water for decreed right in which source has been previously determined.
POU	9/1/2006 9:18:50 AM	csaxton	(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 - 1987 NAPP photography
POU	9/1/2006 9:19:12 AM	csaxton	Updated shape for Active POU
POU	9/1/2006 9:19:21 AM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4229 V1

Use	9/1/2006 9:20:00 AM	csaxton	(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 - Flood water for decreed right in which source has been previously determined.
Season	9/1/2006 9:20:45 AM	csaxton	(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	9/1/2006 9:22:37 AM	csaxton	(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, measurement not needed

Water Supply Bank:

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	377		Decreed	Active	1880-05-01	0.77		52 HORNET (IRRIGATIC		RENFRO,	Claim
67	4229		Statutory C	Active	5/15/1900	0.76		52 HORNET (IRRIGATIC		RENFRO,	Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	377		Decreed	Active	1880-05-01	0.385	30.8	HORNET (IRRIGATIC		RENFRO,	Recommendation
67	4229		B-use	Active	5/15/1900	0.231	30.8	HORNET (IRRIGATIC		RENFRO,	Recommendation
						0.616	30.8				

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	377		Decreed	Active	1880-05-01	0.77		HORNET (IRRIGATIC		ESTATE Owr	WaterRight
67	4226		Decreed	Active	6/1/1941	0.02		SPRING STOCKW/		RENFRO,	wrWaterRight

Water Master Records

<u>Parcel #</u>	<u>Name</u>	<u>Inches</u>	<u>File #</u>	<u>Original Owr</u>	<u>Priority Date</u>
RP17N01W310001	HARRINGTON, JOHNNY	50	388	D DONNELL	5/1/84
RP17N01W310001	HARRINGTON, JOHNNY	19.25	377	T STUTSMAN	5/1/80
RP17N01W308400	RENFRO, ROBERT	19.25	377	STUTSMAN	5/1/80

State of Idaho
Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

SEP 27 2005

Department of Water Resources

September 19, 2005

Re: Right number 67-04111-67-11281.

To whom it may concern;

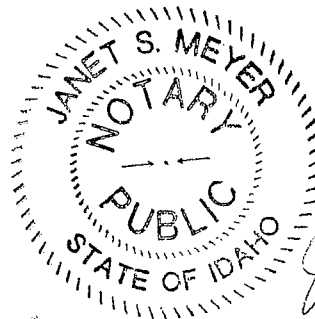
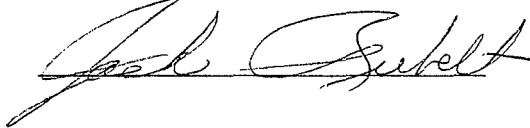
Statutory water rights on East side of hornet Creek- Bob Renfro- Jack Rubelt- Harrington Land LLC.

Per conversations with Johnnie Harrington years ago, he and his brother Lyle Harrington had built a wooden flume to take water from the west side of the ranch to the east side. The flume washed out from high water and deteriorated in time. I do not believe that there is any evidence left of the flume this was done in the middle nineteen thirties.

Both Johnnie and Lyle have died. There is NO concrete evidence of this having been done.

I—Jack Rubelt came here in 1973. The next year we bought ½ mile of hand line and a power take off pump that runs off a tractor. I pumped water on what on what is now Bob Renfro's and Jack Rubelt's-Harrington Land LLC. With the time constraints and labor expectations, I only use the system on new seeding, so it was only used every three or four years. Not continuously time, labor and the cost of fuel. The hand line is stored on the east side

Jack Rubelt



SCANNED

SEP 27 2005

RECEIVED

SEP 27 2005

Department of Water Resources

State of Idaho
Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

September 19, 2005

Re: Right number 67-04111-67-11281.

To whom it may concern;

My name is Doris Harrington, I moved to Hornet Creek in 1939.

Jack Rubelt has asked me to write somethings I remember on a flume that crossed Hornet Creek on what is now Bob Renfro's place.

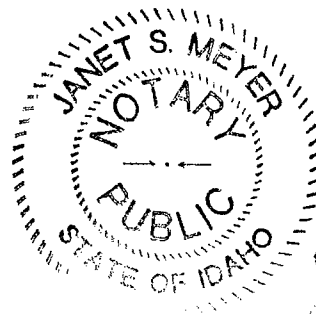
I can remember a flume crossing Hornet Creek. I remember pushing one of my brother-in-laws off the flume.

My husband Lyle and his brother Johnnie built the flume. It only lasted four or five years before high water washed it out.

The flume started on the west side of Hornet Creek and went to the East side. It was located right at the start of the property to the North.

Sincerely;

Doris S. Harrington
Doris Harrington

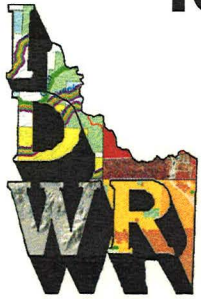


Janet S. Meyer
Sep 11/13/05

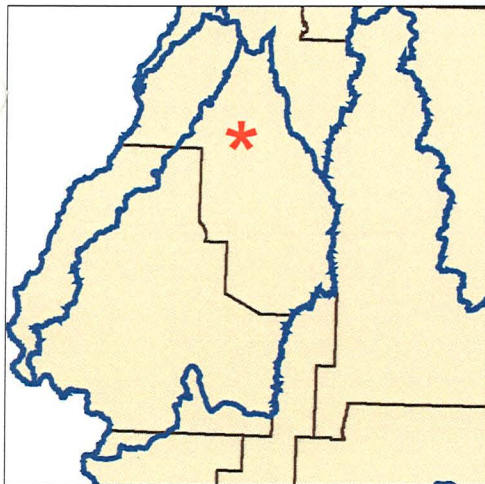
SCANNED

SEP 27 2005

Idaho Department of Water Resources

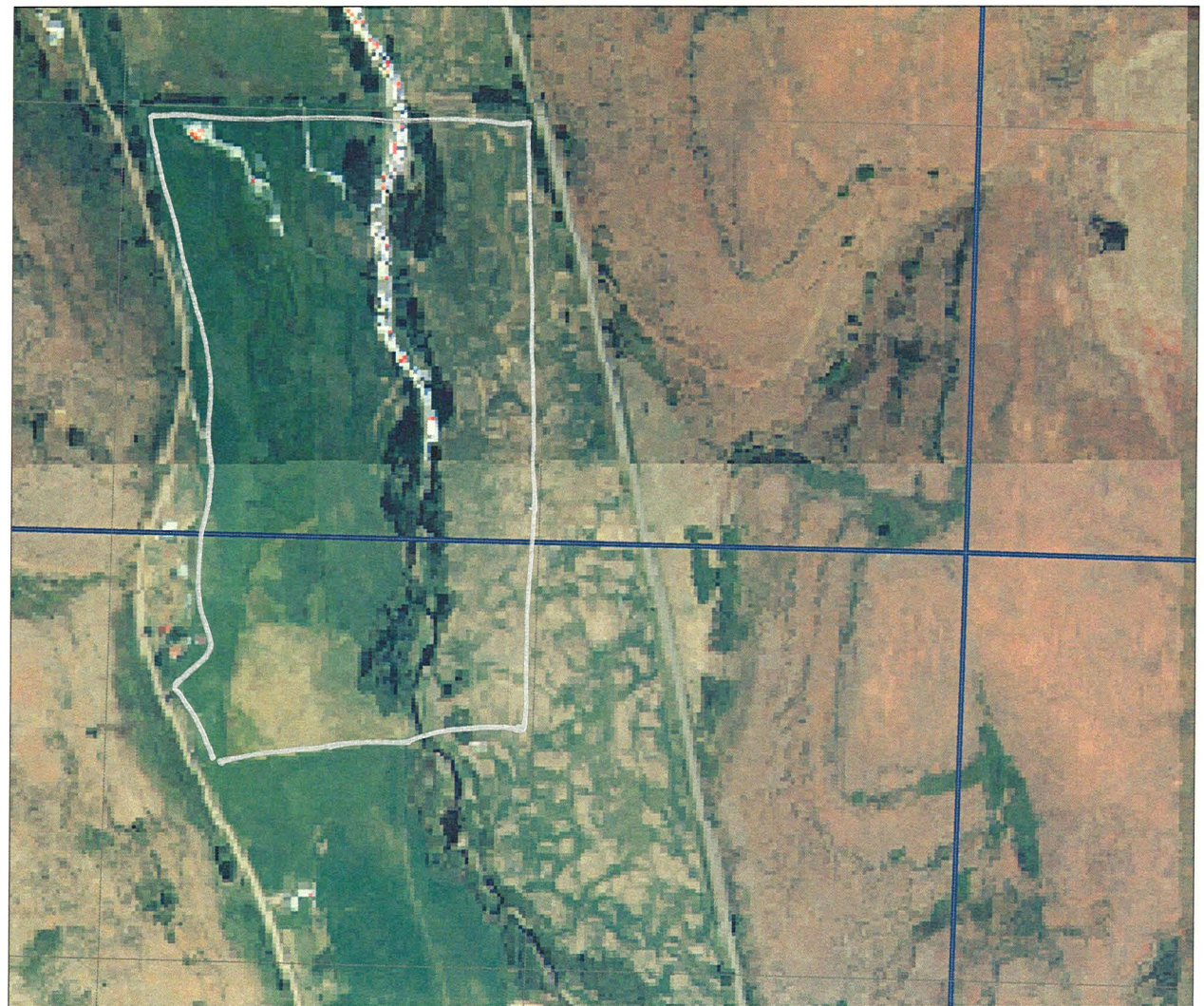


Adjudication Claim Number: **67-4229**



Legend

GCDB17N02W GCDB
GCDB17N01W GCDB
GCDB16N01W GCDB
PLSS Section LinesGcdb_sections.shp



0 0.3 0.6 Miles

A horizontal scale bar with markings at 0, 0.3, and 0.6 miles.

Prepared by M. Van Bussum
On Tuesday, May 31, 2005
1987 Aerial Photography

Idaho Department of Water Resources

67-377



TT17N R01W S30, 31



500 0 500 1000 Feet

Prepared by Sandy Egbert
8-5-04
1987 NAPP Photography

Priority Date Data Entry Form

Claim Number 67-4229

Claimed Priority Date: 5/15/1900

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/15/1900

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

This claim should overlap entirely w/
decreed right 67-377, also owned by
Bob Ruff. Therefore, 5/10/1918 should be DOP,
per Muir v Allison 6/1/05 memo from Craig Saxton
re: stat. claim priority date

Reviewer: MVDate: 6/10/05

Point of Diversion and Source Data Entry Form

Claim Number 67-4229

Claimed Point of Diversion and Source

T17N R01W S30 SESENW Within ADAMS County Source: HORNET CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T17N R01W S30 SENW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

This is correct POD - lies just north of where
 Old Hornet Rd cross Hornet Creek. - Shared w/ Harrington
 tax # A0014047 (Previous owner - Moore)
 (see map in file)

Renfro had talked w/ previous owner (Moore) - land on east
 side of Hornet Creek was irrigated via pump and sprinkler
 out of Hornet Creek. I took photos + GPS'd where pump used
 to sit. coord: 2302147
 1511514. Renfro has owned property since 2001
 and has not irrigated east acreage but plans to. Will talk to
 previous owner + get documentation of water use on that side of
 creek.

Reviewer: MV

Date: 6/10/05

Place Of Use Data Entry Form

Claim Number 67-4229

Claimed Place Of Use

T17N R01W S30 SWSE 34.0 T17N R01W S31 NWNE 18.0

Total Acres 52

___ Use Claimed POU as Recommended POU

Water Right Place Of Use

T17N R01W S30 SWSE 28.0 T17N R01W S31 NWNE 10.0

Total Acres 38

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-4229

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			



Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

conversation w/ claimant, viewed POW

Reviewer: MVDate: 6/10/05

Period of Use and Quantity Data Entry Form**Claim Number 67-4229**

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.76	

Overall Diversion Rate 0.76

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.76	

Overall Diversion Rate 0.76

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

reviewer in IDWR office - check on this please! !!

Reviewer: mvDate: 6/10/05

Contacts Data Entry Form

Claim Number: 67-4229

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	RAYMOND L MAGNUSON	HORNET CREEK RD	COUNCIL	ID	83612	
Original Owner	HESTER E MAGNUSON	HORNET CREEK RD	COUNCIL	ID	83612	
Original Owner	E LUCILLE MOORE	1005 BRENNAN	POCATELLO	ID	83201	(208)237-4688
Original Owner	RAY H MOORE	1005 BRENNAN	POCATELLO	ID	83201	
Current Owner	ROBERT D RENFRO	13366 CHICKEN DINNER RD	CALDWELL	ID	83607	(208) 454-2785
Current Owner	LOIS C RENFRO	13366 CHICKEN DINNER RD	CALDWELL	ID	83607	(208) 454-2785

Date of Field Exam: 6/10/05 Time: 9:00a m

Accompanied By: Bob Renfro Phone Number: 253-1188 (Council #)

Relationship to Claimant: _____

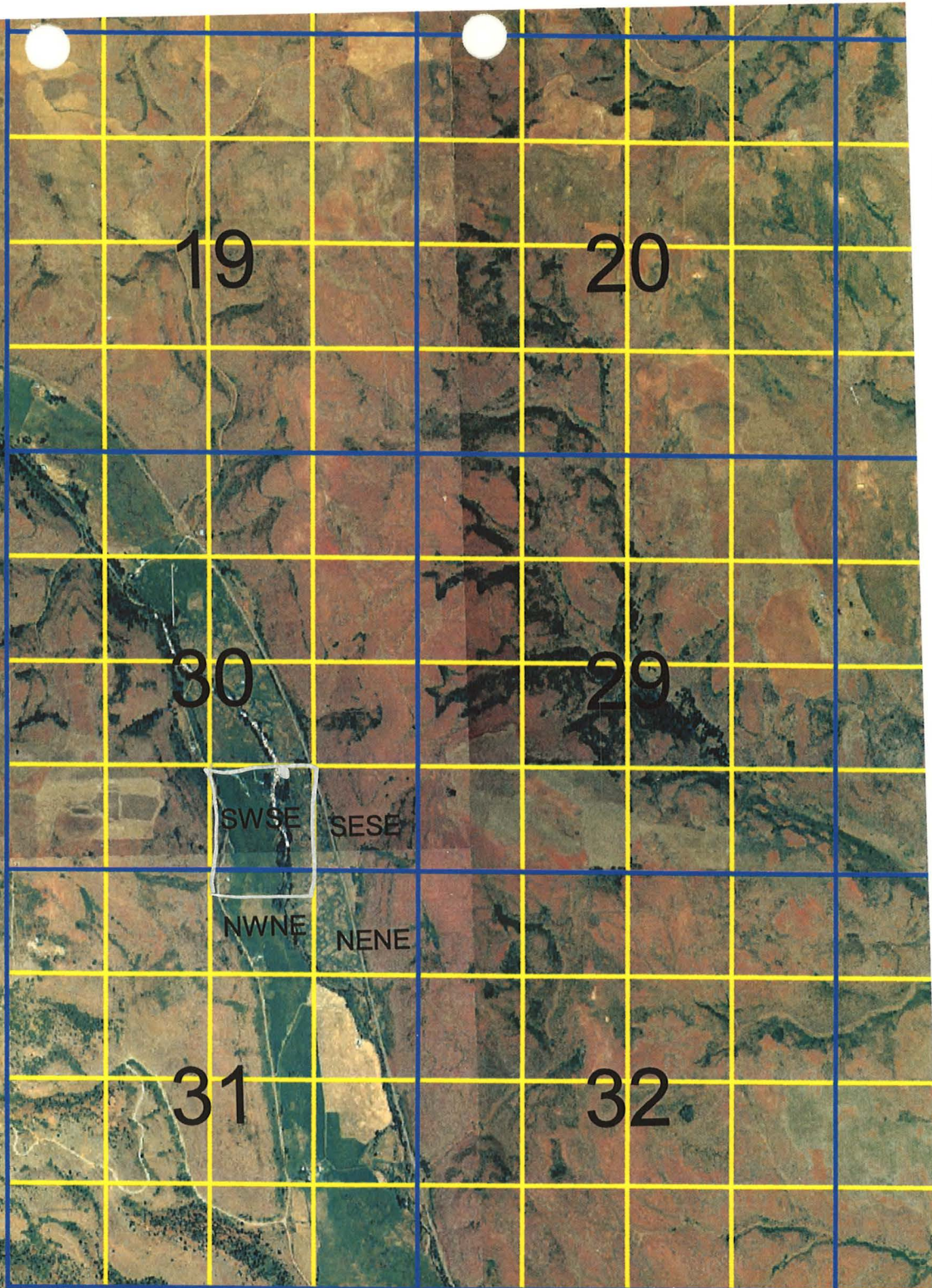
Directions to Property (if different from above) and/or update owner information:

above address is claimant's primary residence.
Property located on Old Hornet Rd, Council, ID.
Cedar-shingled house w/ green roof approx
2 miles north of turn off Council-Cephus Rd.

Reviewer: 

Date: 6/10/05

17N 1W
S-30 & 31



6-15-05 : Going to submit evidence that East Side of
Creek was irrigated. might want to call and
remind if we don't hear from him from mechanic.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 18, 2002

ROBERT D RENFRO
LOIS C RENFRO
13366 CHICKEN DINNER RD
CALDWELL ID 83607

Re: Notice of Claim to a Water Right No. 67-377 & 67-4229

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Please note, water right number 67-4226 has been sent to our State Office for processing, as it has been decreed by the SRBA Court.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Raymond L. &/or Hester E. Magnuson
(name of claimant)
of Hornet Creek Rt. Council, ID 83612, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Hornet Creek
_____, tributary to, Weiser River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|----------------------|-------------------------------|--|
| Amount <u>0.76</u> | Use <u>irrigation</u> | Period of Use: From <u>Mar 15</u> To <u>Nov 15</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm
or a/f) | (dom., irri.,
stock, etc.) | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.76 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) May 15, 1900

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 30 Twp. 17N Rge. 1W B. M. County of Adams

Additional points of diversion:

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. low dam w/steel headgate & 1/2 mile gravity ditch to place of use

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

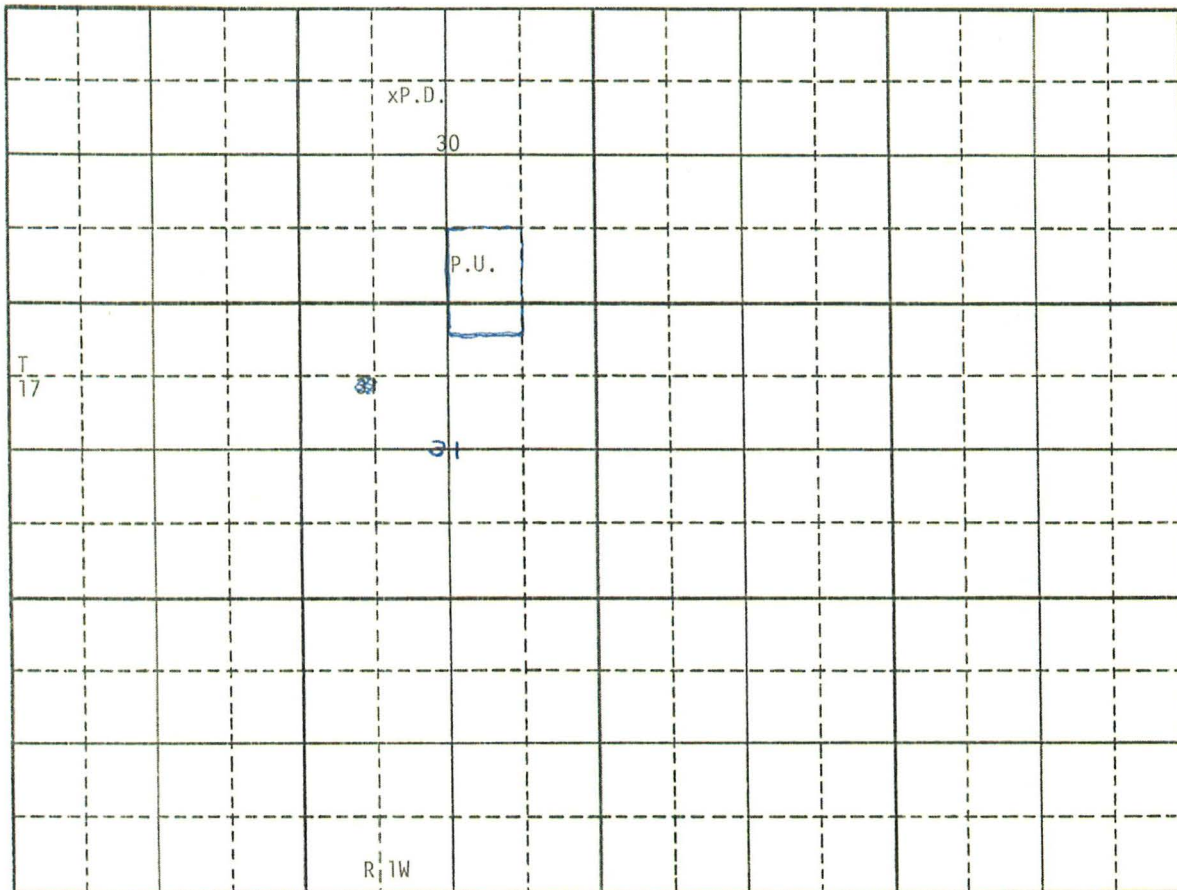
[illegible]

Total No. of acres 38

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization:

(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)
) ss.
County of Ada)

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 22nd day of September, 19 77.

Raymond J. Magnuson
(Claimant)

Rita Bendale
Notary Public

Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>9-22-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>9-26-77</u>		claimant by:	
\$10.00 fee received by <u>R.W.H.</u>	Date <u>8-31-77</u>			
Approved for publication by				
Published in <u>Cadmus County Leader</u>				
Dates <u>Oct 6 & 13, 1977</u>				

Thanks!

RECEIVED

DATE 2/15/88

FROM Jan Thunke
TO Carter Fitzhugh

FFB - 5 1988

SUBJECT Mailing ~~Address~~ Adams Co. people

These people came in to show their names as owners of Water Right No's. 67-0377, 67-4226, 67-4227 & 67-4229. These are in Adams Co. & they want to be sure & receive notice of the acquisition because they live in Pocateles. They are the owners of the land covered under their right.

SIGNATURE

PAUL H. HOBBS, E. MOORE, 1005 BRENNAN, POCAATELES, ID

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 67-4229
Date Received: 9/5/1989
Receipt No: C010875
Received By:

AMENDED

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

1. Name of Claimant(s)

ROBERT D RENFRO Phone: (208) 454-2785

13366 CHICKEN DINNER RD
CALDWELL ID USA 83607

LOIS C RENFRO Phone: (208) 454-2785

13366 CHICKEN DINNER RD
CALDWELL ID USA 83607

2. Date of Priority: 05/15/1900

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	30	SE SE NW	ADAMS	

5. Description of diverting works:

DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.76	

7. Total Quantity Appropriated is:
0.76 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	01W	30	SW	SE	IRRIGATION	34
					Section Acres	34
17N	01W	31	NW	NE	IRRIGATION	18
					Section Acres	18
					Total Acres	52

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:

14. Remarks:

Same place of use as 67-377.

Ownership changed by DB 3/15/2002

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

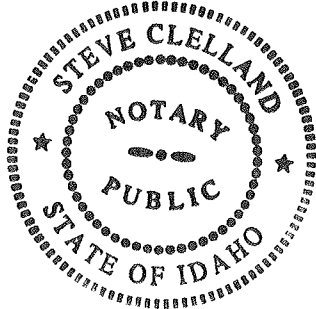
Signature of Claimant(s): *Rob O'Neil* Date: 2-28-05
_____ Date: _____

State of Idaho)
County of ADA) SS.

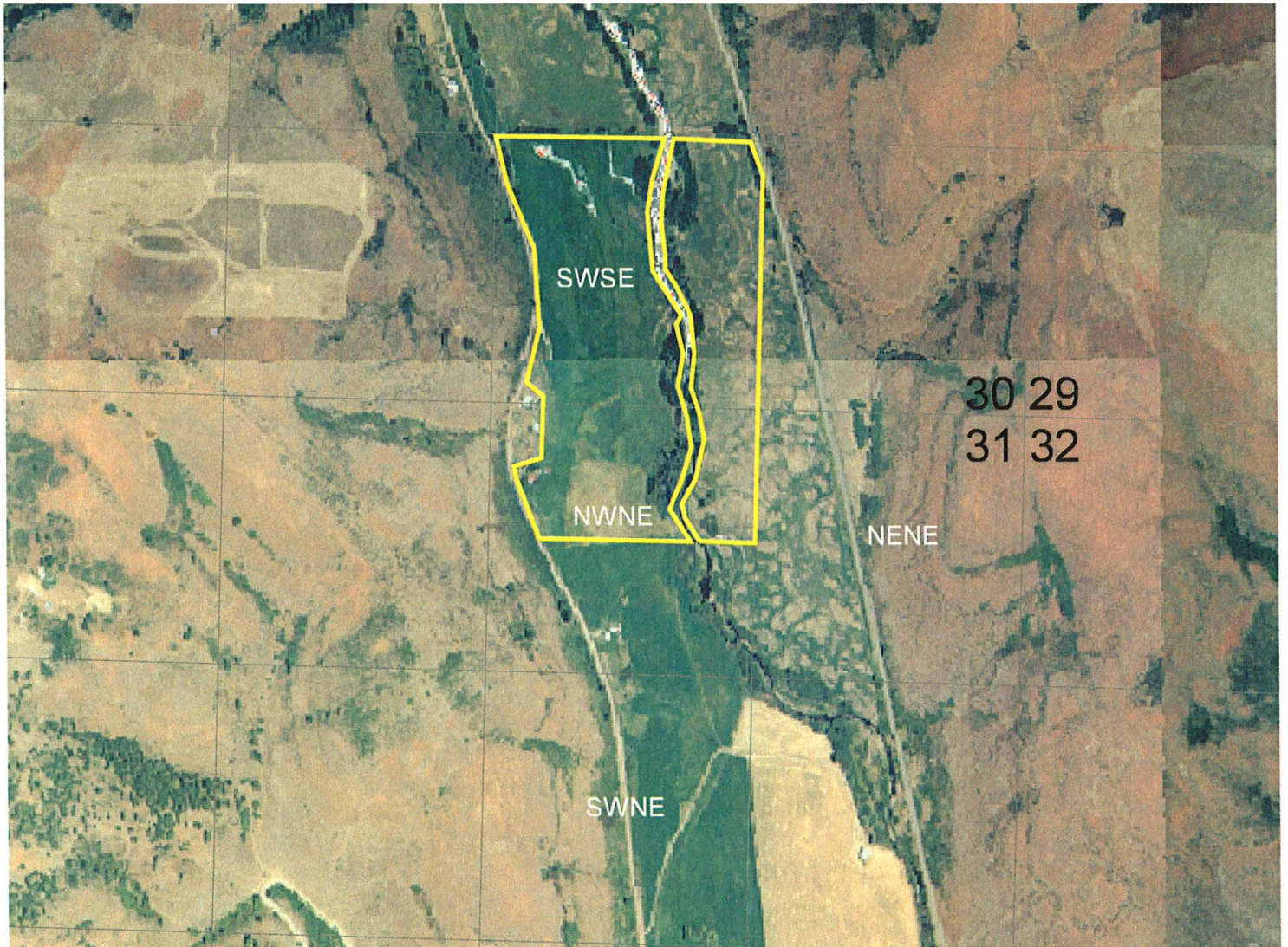
Subscribed and sworn (or affirmed) before me this 28th day
of FEBRUARY 2005 *Steve Clelland*

Notary Public

Residing at Meridian ID
My commission Expires 12/7/2006



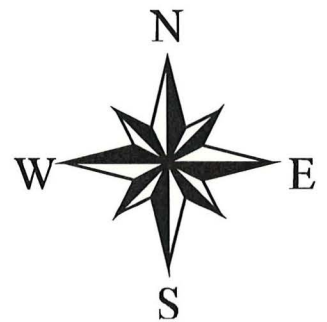
67-377 & 67-4229



800 0 800 1600 2400 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the measurements 800, 0, 800, 1600, and 2400 feet.

T17N R01W S30 & 31



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 67-4229
Date Received: 9/5/1989
Receipt No: C010875
Received By:

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

1. Name of Claimant(s): ROBERT D RENFRO Phone: (208) 454-2785
13366 CHICKEN DINNER RD
CALDWELL ID USA 83607

LOIS C RENFRO Phone: (208) 454-2785
13366 CHICKEN DINNER RD
CALDWELL ID USA 83607

2. Date of Priority: 05/15/1900

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	30	SE SE NW	ADAMS	

5. Description of diverting works:

DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

Office visit by Mours
See AD67-00377
File (also Mours)
for map
AL 3/26/90

SCANNED
APR 08 2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	30	SW SE		IRRIGATION	28
					Section Acres	28
17N	01W	31	NW NE		IRRIGATION	10
					Section Acres	10
					Total Acres	38

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:

14. Remarks:

Ownership changed by DB 3/15/2002

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 04 2002

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-377		No			
67-4226	decreed	No			
67-4229		No			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Ray H. Moore & E. Lucille Moore
2296 Old Hornet Rd. Council Bluffs, IA 51501
4. New Owner/Claimant(s) Robert D. Renfro & Lois C. Renfro
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 13366 Chicken Dinner Rd.
- City, State and ZIP Code Caldwell Id. 83607
- New Telephone Number (208) 454-2785
5. Date you acquired the property 12-4-01

6.

If the change in ownership affects the entire water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) X _____
(include title if applicable)

X *[Signature]*
X *[Signature]*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

COPY

For Value Received, RAY H. MOORE and E. LUCILLE MOORE, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
ROBERT D. RENFRO and LOIS C. RENFRO, husband and wife

the grantees, whose current address is 13366 Chicken Dinner Rd., Caldwell, ID 83607

the following described premises, in Adams County, Idaho, to-wit:

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 30: SW1/4SE1/4

Section 31: N1/2NW1/4NE1/4

EXCEPTING the right of way of Old Hornet Creek Road

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: December 4, 2001

Ray H. Moore
RAY H. MOORE

E. Lucille Moore
E. LUCILLE MOORE

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 4th day of December, in the year of 2001, before me, a Notary Public in and for said State, personally appeared
RAY H. MOORE and E. LUCILLE MOORE
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



#01-566

Sharon M. Stippich
Notary Public
Residing at: Indian Valley
Commission expires: 7-5-07

Instrument # 100809

COUNCIL, ADAMS, IDAHO

2001-12-04

03:47:55 No. of Pages: 1

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED

Sharon Stippich

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: A67-04229
Date Received: 9/05/1989
Receipt No: C010875
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY H. MOORE 208-237-4688
Address: 1005 BRENNAN
POCATELLO, ID 83201

AND/OR

Name: E. LUCILLE MOORE 208-237-4688
Address: 1005 BRENNAN
POCATELLO, ID 83201

2. Date of Priority: MAY 15, 1900

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	01W	30	SE	SE	NW		ADAMS

5. Description of diverting works:
DIVERSION DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.760		

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

8. Total consumptive use is 114.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	30	SW	SE	IRR	28.0
					Section Acres	28.0
		31	NW	NE	IRR	10.0
					Section Acres	10.0
					Total Acres	38.0

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:
67-00377

14. Remarks:

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: _____

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): E Lucille Moore Date: 9-5-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of September 19 89
[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994