

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: 67-10326

WENDELL HORN
3645 MILL CREEK RD
CAMBRIDGE ID 83610
Telephone Number: (208)257-3870

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:

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

DATE: 11-28-06 SIGNATURE: Wendell Horn
Please print your name: Wendell Horn

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

SCANNED
DEC 19 2006

State of Idaho
Department of Water Resources
Adjudication Section
Claim Verification Field Exam Sheet

CLAIM NO(s): 607-10326

1 ☒ No Change NAME IS SAME

☐ NEW OWNER _____

☐ No Change ADDRESS _____

☐ NEW ADDRESS _____

2 ☒ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used
and submit proof of date of priority.

Priority date, per claimant is: 1958
(If this date seems questionable, explain below)

3 ☒ No Change ---SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4 ☒ No Change --- POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: shares POD's w/ 2163 (license)

Township	Range	Section	1/4's	
Township	Range	Section	1/4's	

5 ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6 ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ CFS _____ AFA _____

7 ☒ No Change - TOTAL VOLUME - *see attached form*

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8 ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9 ☒ No Change ---PLACE OF USE (If changed, list below)

Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	

Remarks: (Comments pertinent to field exam) ☐ See additional attachment

The 2004 photo doesn't show irrigation bec he doesn't currently irrigate - however after speaking w/ claimant says he intends to irrigate the ~~area~~ land using the same licensed diversion point.

☐ SYSTEM DIAGRAM INCLUDED

☒ Shown on GIS layout

☐ IN OFFICE EXAM

DATE EXAM CONDUCTED 8/16/06

FIELD EXAMINER: MMOUNT, JLD

Period of Use and Quantity Data Entry Form

Claim Number 67-10326

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
67-2163 IRRIGATION	4/01	11/01	0.3	
IRRIGATION + STOCKWATER			0.7	
Overall Diversion Rate 0.3	Overall Diversion Volume		1.0 cfs total	

☐ 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
-----------	-------	-----	------	--------

Overall Diversion Rate _____

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:

Licensing exam for 67-2163 indicates system has
a carrying capacity of 1.6 cfs. This capacity
is sufficient to divert water for both claims
sharing this pod system. No additional measurement
required. According to spatial data no additional
active claims from these POD.

Reviewer: JLDDate: 8/25/06



08/30/2006

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

RIGHT NUMBER: 67-10326

NAME AND ADDRESS: WENDELL HORN
3645 MILL CREEK RD
CAMBRIDGE ID 83610

SOURCE: MILL CREEK
NORTH FORK MILL CREEK
SOUTH FORK MILL CREEK

TRIBUTARY: PINE CREEK
TRIBUTARY: MILL CREEK
TRIBUTARY: MILL CREEK

QUANTITY: 0.300 CFS

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION:

T16N R04W S32 SWNE Within WASHINGTON County
T16N R04W S32 SWNW Within WASHINGTON County
T16N R04W S32 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/01	0.300 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T16N R04W S32 SWNE 15.00

15 ACRES TOTAL

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

THIS CLAIM WAS ORIGINALLY FILED AS CLAIM NO. 69-04100, HOWEVER, SINCE THE BASIN NUMBER IS WRONG(69) AND IT SHOULD BE BASIN 67, THIS CLAIM HAS BEEN RENUMBERED TO THIS CLAIM NO. REFERENCE HAS BEEN MADE ON 69-04100 TO THIS CLAIM NO.
| ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

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

The following rights are also diverted through point of diversion described above: 67-2163, 67-10326.



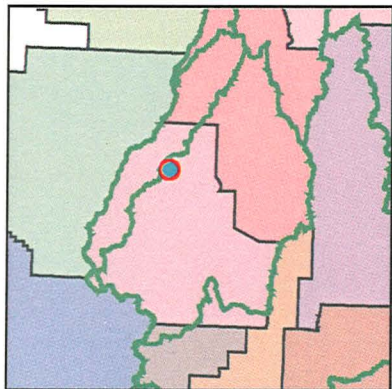
Idaho Department of Water Resources

SRBA Recommendation:

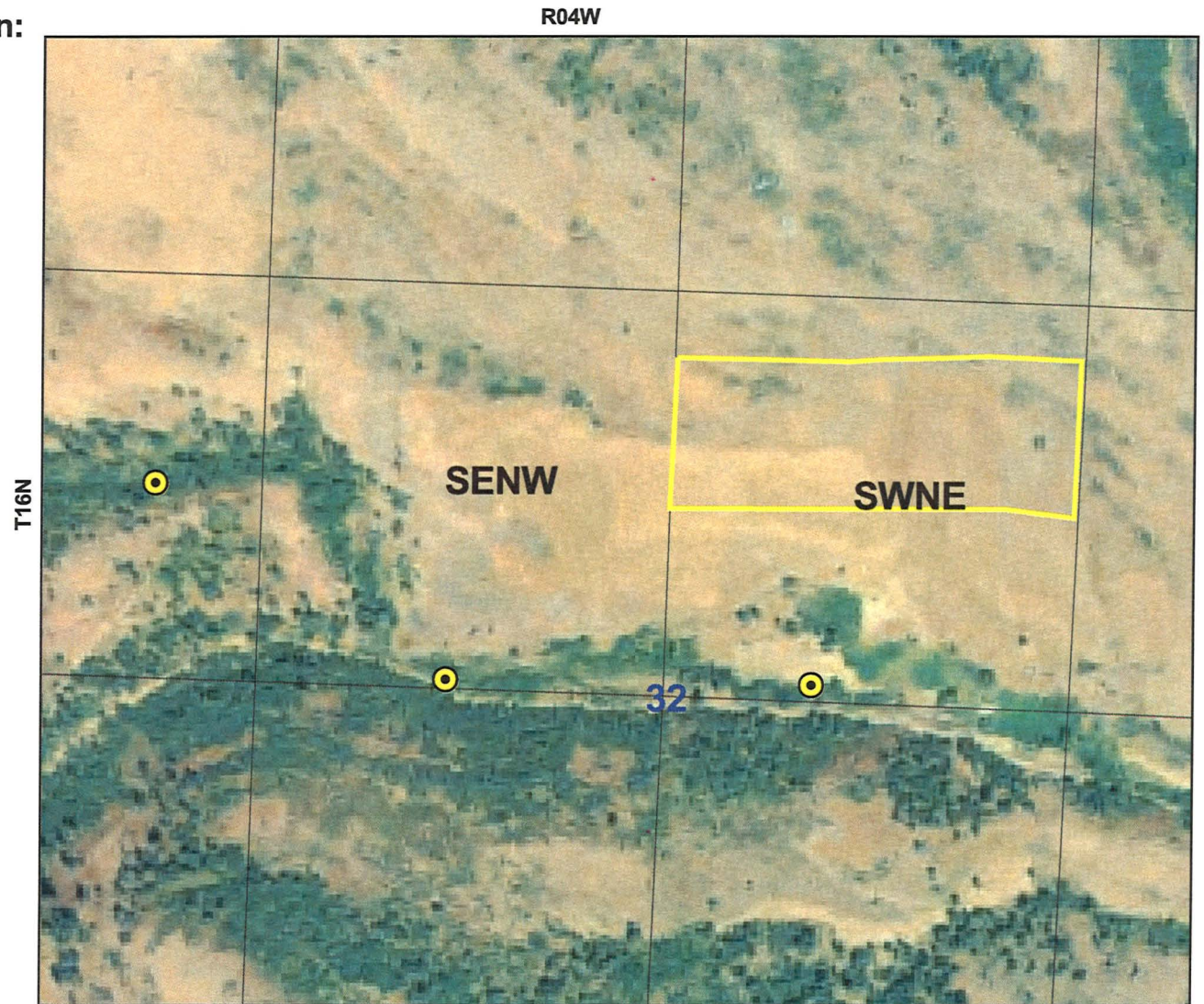
67-10326

Legend

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



Washington County
IDWR Basin 67

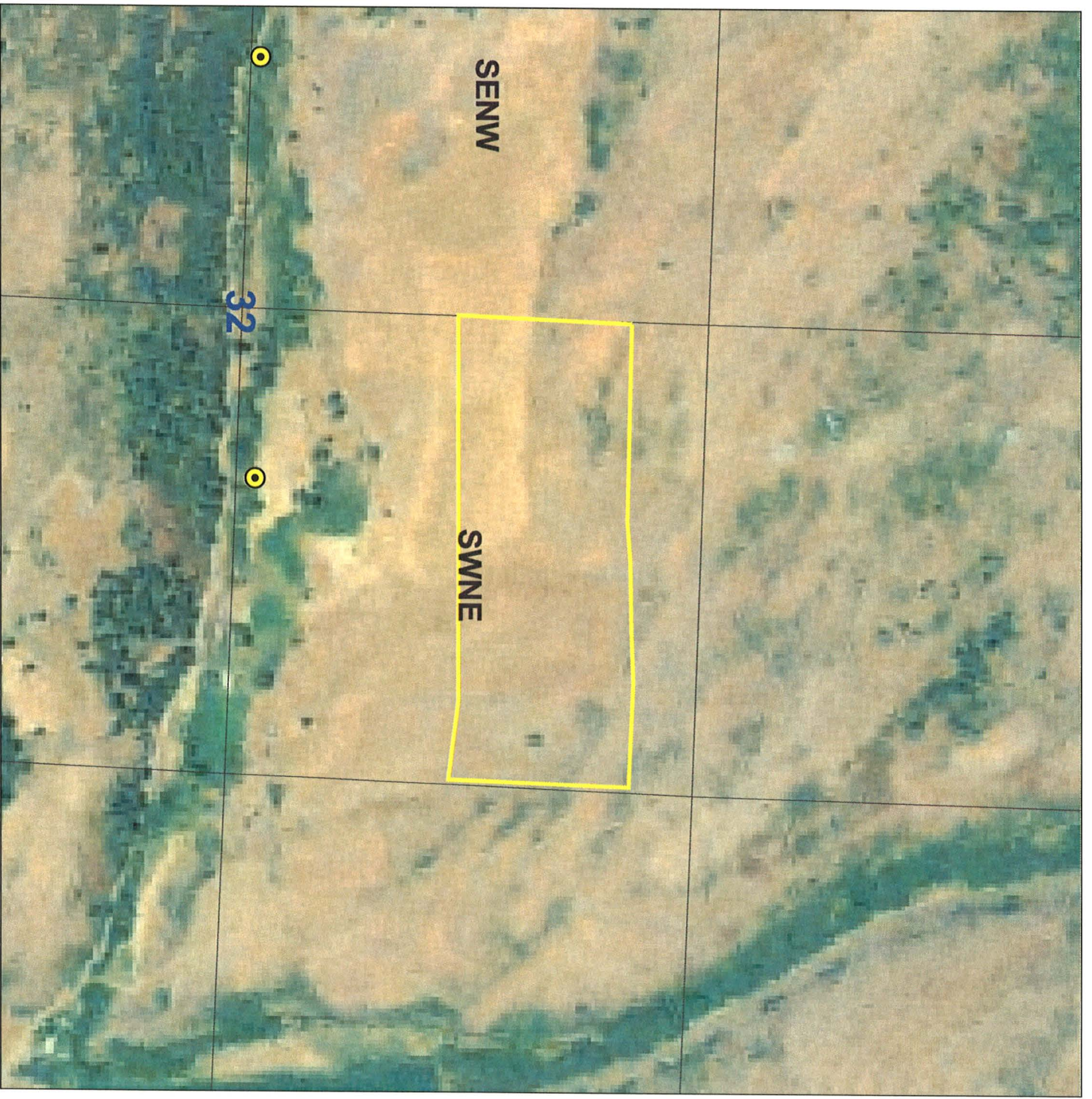
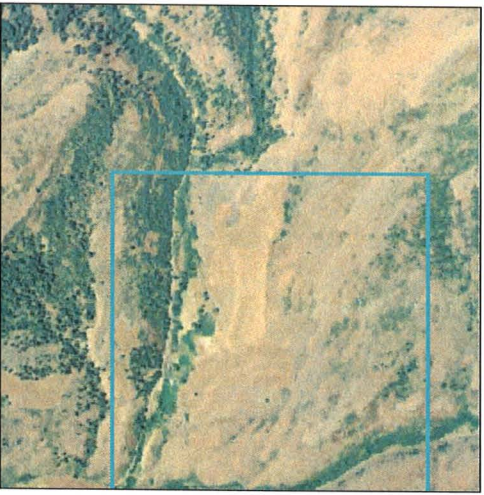


0 0.2 0.4 Miles



Prepared by M. Mount
On Wednesday, August 30, 2006
1987/88 Aerial Photography

67-10326



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: **A67-10326**
Date Received: 9/26/1989
Receipt No: M004702
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WENDELL HORN 208-257-3870
Address: 3645 MILL CREEK RD
CAMBRIDGE ID 83610

2. Date of Priority: APR 1, 1958

3. Source: MILL CREEK Trib. to: PINE CREEK
MILL CREEK, NORTH FORK MILL CREEK
MILL CREEK, SOUTH FORK MILL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	32	SW	NE			WASHINGTON
			SW	NW			WASHINGTON
			SE	NW			WASHINGTON

5. Description of diverting works:
DIV. DAMS IN CK./DITCHES TO POND W/PUMP & GRAVITY FOR SPRIN. IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

SCANNED
APR 08 2004

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04W	32	SW	NE	IRR	15.0
Section Acres						15.0
Total Acres						15.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

CLAIM NO. A67-02163 - ADDITIONAL 35 ACRES.

14. Remarks:

THIS CLAIM WAS ORIGINALLY FILED AS CLAIM NO. 69-04100, HOWEVER, SINCE THE BASIN NUMBER IS WRONG(69) AND IT SHOULD BE BASIN 67, THIS CLAIM HAS BEEN RENUMBERED TO THIS CLAIM NO. REFERENCE HAS BEEN MADE ON 69-04100 TO THIS CLAIM NO.

|
ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

15. Basis of Claim: BENEFICIAL USE

MAY - 5 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTORWENDELL HORN
3645 MILL CREEK RD
CAMBRIDGE ID 83610Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-10329, A67-02163 & A67-10326
Change of Address*records changed, NCAP reported,
as 5-5-99*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

208-257-3870

Telephone No.

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: A67-10326

Date Received: 9/26/1989

Receipt No: 1004702

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL HORN 208-257-3870
Address: HC 69, BOX 3590
CAMBRIDGE, ID 83610

2. Date of Priority: APR 01, 1958

3. Source: MILL CREEK Trib. to: PINE CREEK
MILL CREEK, NORTH FORK MILL CREEK
MILL CREEK, SOUTH FORK MILL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	32	SW	NE			WASHINGTON
			SW	NW			WASHINGTON
			SE	NW			WASHINGTON

5. Description of diverting works:
DIV. DAMS IN CK./DITCHES TO POND W/PUMP & GRAVITY FOR SPRIN. IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04W	32	SW NE		IRR	15.0
Section Acres						15.0
Total Acres						15.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

CLAIM NO. A67-02163 - ADDITIONAL 35 ACRES.

14. Remarks:

THIS CLAIM WAS ORIGINALLY FILED AS CLAIM NO. 69-04100, HOWEVER, SINCE THE BASIN NUMBER IS WRONG(69) AND IT SHOULD BE BASIN 67, THIS CLAIM HAS BEEN RENUMBERED TO THIS CLAIM NO. REFERENCE HAS BEEN MADE ON 69-04100 TO THIS CLAIM NO.

15. Basis of Claim: BENEFICIAL USE

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 X 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): Wendell Horn Date: 9-26-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of September 19 89 Jan Shute
Notary Public

Seal

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

SEP 15 2005

Department of Water Resources

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

AFFIDAVIT

A67-03163)
A67-10336)
A67-10329)
 State of Idaho)
 County of Washington

I Wendell Horn being first duly sworn,
 deposes and says: all persons knowing of Past
Water uses are Dead at this time. Except
For myself: I (Wendell Horn) have spent
about 80% of my life on this property,
and the Diversions and Ditches have
all been used for irrigation.

my Father (Ernest T Horn) purchased this
Property in 1943. I grew up on the property
and returned to live here full time
in October of 1999. So I can Vouch
For the fact that Water has been
used for irrigation

need to know Wendell Horn's
 age.

1940 - born in
 (MOUNT)

Wendell Horn
 (Signature)

on to before me this

September, 19 2005

m
 (Public)

budge

My Commission Expires

3-31-10

18-Aug-1987

PLACE OF USE: Township 16N Range 04W Section 32 Tract SENW
PLACE OF USE: Township 16N Range 04W Section 32 Tract E2NW
PLACE OF USE: Township 16N Range 04W Section 32 Tract SENW

WR-NUMBER:
67-0206

CURRENT OWNER:
DENBRAE SHEEP COMPANY

PRIORITY DATE:
1-Jun-1891

STAGE:
DECREE

COUNTY: WASHINGTON

SOURCE: PINE CREEK

WATER USE:

IRRIGATION

DIVERSION-RATE:

0.300 CFS

DIVERSION-VOLUME:

0.00 AF

TOTAL RATE: 0.300 CFS

TOTAL VOLUME: 0.00 AF

PLACE OF USE: Township 16N Range 04W Section 32 Tract SWNE
PLACE OF USE: Township 16N Range 04W Section 32 Tract SENW
PLACE OF USE: Township 16N Range 04W Section 32 Tract E2NW
PLACE OF USE: Township 16N Range 04W Section 32 Tract SENW

WR-NUMBER:
67-2163

CURRENT OWNER:
CHARLES E. OVER

PRIORITY DATE:
24-Jul-1933

STAGE:
LICENSE

COUNTY: WASHINGTON

SOURCE: MILL CREEK, NORTH FORK

MILL CREEK, SOUTH FORK

TRIBUTARY: MILL CREEK

MILL CREEK

WATER USE:

IRRIGATION

DIVERSION-RATE:

0.700 CFS

DIVERSION-VOLUME:

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE: 0.700 CFS

TOTAL VOLUME: 0.00 AF

PLACE OF USE: Township 16N Range 04W Section 32 Tract SWNE

WR-NUMBER:
69-4100

CURRENT OWNER:
WENDELL HORN
JAN HORN

PRIORITY DATE:
1-Apr-1958

STAGE:
STATUTORY CLAIM

COUNTY: WASHINGTON

SOURCE: MILL CREEK

WATER USE:

IRRIGATION

DIVERSION-RATE:

0.300 CFS

DIVERSION-VOLUME:

0.00 AF

TOTAL RATE: 0.300 CFS

TOTAL VOLUME: 0.00 AF

SCANNED
SEP 15 2005

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: A67-02163
Date Received: 9/26/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL HORN 208-257-3870
Address: HC 69, BOX 3590
CAMBRIDGE, ID 83610

2. Date of Priority: JUL 24, 1933

3. Source: MILL CREEK, NORTH FORK Trib. to: MILL CREEK
MILL CREEK, SOUTH FORK MILL CREEK
MILL CREEK PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	32	SW	NE			WASHINGTON
			SW	NW			WASHINGTON
			SE	NW			WASHINGTON

5. Description of diverting works:

DIV. DAMS IN CK./DITCHES TO POND W/PUMP & GRAVITY FOR SPRINK. IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		
STOCKWATER	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.700 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER FOR 45 HD.

A67-02163

Page 1

Date: 09/26/89

SCANNED

SEP 15 2005

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	32	SW	NE		IRR	18.0
			SW	NE		STOCK	
			SE	NW		IRR	17.0
			SE	NW		STOCK	
						Section Acres	35.0
						Total Acres	35.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

CLAIM NO. A67-10326 FOR 15 ADDITIONAL ACRES.

14. Remarks:

NOTE: MILL CREEK IS SHOWN AS AN ADDITIONAL SOURCE BECAUSE THE NORTH FORK AND SOUTH FORK MILL CREEK FLOW TOGETHER ON THIS PROPERTY AND FORM THE MAIN MILL CREEK WHERE THERE IS A POINT OF DIVERSION TO IRRIGATE THE SAME PROPERTY AS THIS CLAIM. NO ADDITIONAL WATER IS DIVERTED, ONLY AN ADDITIONAL DIVERSION PT.

15. Basis of Claim: LICENSE

Water Right Number: 17793

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

State of Idaho

License and Certificate of Water Right

Water License No. 17793

Amount 0.7 Sec. Ft.

Water District No.

Priority July 24, 1933

THIS IS TO CERTIFY that CHARLES E. OVER
of Cambridge, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 19, 1933; that Permit No. 17793
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on August 7th, 1934, showing that said works
were completed on the 10th day of July, 1934; and that on the 25th
day of July, 1936,

CHARLES E. OVER

of Cambridge, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of the North and
South Forks of Mill Creek,
a tributary of Mill Creek, for the purpose of irrigation and
domestic use, under Use Permit No. 17793 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3895, on the 18th day of April, 1938;

The right hereby confirmed dates from July 24, 1933;

The Points of Diversion ^{are} located
(1-0.4) SW 1/4 NW 1/4, Sec. 32, Tp. 16 N., R. 4 W., B. M., Washington County.
(2-0.3) SE 1/4 NW 1/4

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,

SEP 15 2005
SCANNED

The right hereby confirmed dates from July 24, 1933;

The Points of Diversion ^{are} located in the (1-0.4) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Tp. 16 N., R. 4 W., B. M., Washington County.
(2-0.3) SE $\frac{1}{4}$ NW $\frac{1}{4}$

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 N	4 W	32	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 20 20 <u>80</u>	18 17 0 <u>35</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 18th day of April, 1938.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

67 2163

SCANNED
SEP 15 2005

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: A67-10329

Date Received: 9/26/1989

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL HORN 208-257-3870
Address: HC 69, BOX 3590
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1947

3. Source: SPRING Trib. to: MILL CREEK

4. Point of Diversion

Township Range
16N 04W

5. Description of div
SEE REMARKS.

6. Water is used for

Purpose
DOMESTIC

7. Total Quantity Ap
0.040 C.F

8. Total consumptive

9. Non-irrigation uses:
DOMESTIC USE FOR 1 HOME W/LAWN & GARDEN IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04W	32	SW NE		DOMEST	

11. Place of use in counties: WASHINGTON

A67-10329

Page 1

Date: 09/26/89

SCANNED

SEP 15 2005

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:
DESC. OF DIVERTING WORKS - PERFORATED CUVLERT PIPE IN SPRING WITH
PIPELINE TO 300 GAL. STORAGE TANK FOR GRAVITY FLOW TO HOME AND
LAWN & GARDEN IRRIGATION.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 AD
OF RIGHTS TO THE USE
THE SNAKE RIVER BASIN

576

15 ac may overlap license

26
39

1. Name: WENDELL
Address: HC 69,
CAMBRIDGE

2. Date of Priority:

3. Source: MILL CREEK Trib. to: PINE CREEK
MILL CREEK, NORTH FORK MILL CREEK
MILL CREEK, SOUTH FORK MILL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	04W	32	SW	NE			WASHINGTON
			SW	NW			WASHINGTON
			SE	NW			WASHINGTON

5. Description of diverting works:

DIV. DAMS IN CK./DITCHES TO POND W/PUMP & GRAVITY FOR SPRIN. IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

7. Total Quantity Appropriated is:

0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	32	SW	NE		IRR	15.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

CLAIM NO. A67-02163 - ADDITIONAL 35 ACRES.

14. Remarks:

THIS CLAIM WAS ORIGINALLY FILED AS CLAIM NO. 69-04100, HOWEVER, SINCE THE BASIN NUMBER IS WRONG(69) AND IT SHOULD BE BASIN 67, THIS CLAIM HAS BEEN RENUMBERED TO THIS CLAIM NO. REFERENCE HAS BEEN MADE ON 69-04100 TO THIS CLAIM NO.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wendell &/or Jan Horn (Name of Claimant)
Heath Star Rt. Cambridge, ID 83610 Telephone No. 257-3870
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1958

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Mill Creek tributary to Pine Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.30 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) .30 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 32 Twp. 16N Rge. 4W B.M., County of Washington
Additional points of diversion: SE 1/4 Sec. 32 T16N R4W

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. Describe any changes in the system and give the date of the change. gravity ditch

(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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	4W	32			15														15

No. of acres 15

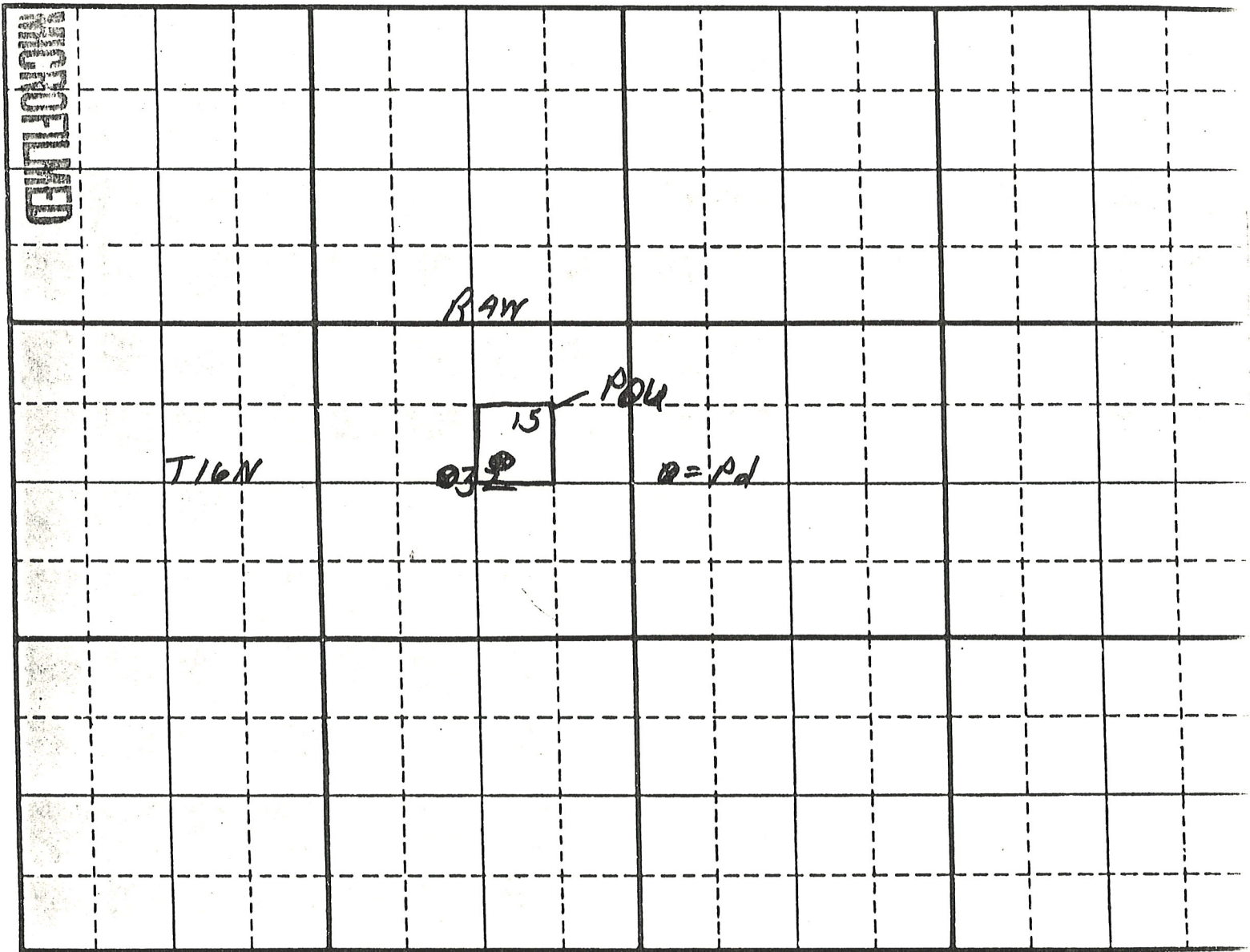
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

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

SCANNED
SEP 15 2005

(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 affiant's knowledge.

Wendell L. Horn
(Claimant)

Sworn to before me this 10 day of March, 1983.

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CLS Date 3/10/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JS Date 3/23/83 claimant by: _____
\$30.00 fee received by JP Date 3/10/83 # 27244
Published in Upper County News Reporter
Dates 3/31 & 4/7/83

SCANNED

SEP 15 2005

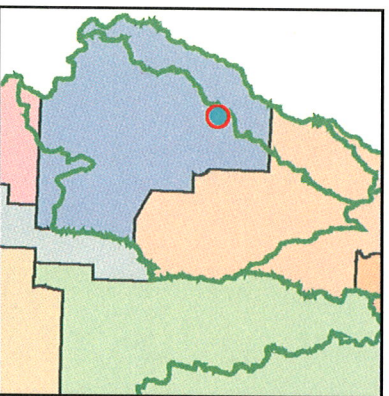
Idaho Department of Water Resources



*This map really
sucks, I can't
tell up from
down on it,*

Adjudication Claim Number: **67-10326**

PLS Sections
GCDBQuarter Quarters



Washington County
IDWR Basin 67



Prepared by M. Van Bussum
On Thursday, September 1, 2005
1987 Aerial Photography

67 - 10326 - WENDELL HORN 257-3870

COMES OUT OF DITCH CLOSER TO HOUSE
UPPER DITCH UNIT USED

10326

claiming an additional 15 Ac in
the SWNE w/ a 1958 priority

- need Wendel's age - to go w/ priority proof.

this claim appears to be in addition to
67-2463 license - for 18 Ac SWNE
17 Ac SE NW

Will just need to verify the extra acres

- is hard to tell what acres are irk & which aren't.

DRAW a good MAP of how irrig. & where

4³⁰ pm - meet

12 mi out of Cambridge on Hwy 71

1/4 mi down off Mill Cr. Rd.

(fr. 71) will see a green sign on the (R) - go (L)
look for a RED BARN

[3645 Mill Cr. Rd
Cambridge, ID.]

AJ0749NP
No. A67-10326

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/05/99
PAGE: 1

SCANNED
APR 08 2004

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WENDELL HORN 3645 MILL CREEK RD CAMBRIDGE ID 83610 (208) 257-3870	04/01/1958	IRRIGATION	04-01 11-01	0.300 CFS	
TOTAL DIVERSION:					0.300 CFS	

Water Source: MILL CREEK
MILL CREEK, NORTH FORK
MILL CREEK, SOUTH FORK

Tributary to: PINE CREEK
MILL CREEK
MILL CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T16N R04W S32 SWNE SENW WASHINGTON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: SUM
16N 04W 32	: 15	:	:	:	: 15.0
TOTAL ACRES					15.0

POU County: WASHINGTON

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO. A67-02163 - ADDITIONAL 35 ACRES.

Remarks: GEN THIS CLAIM WAS ORIGINALLY FILED AS CLAIM NO. 69-04100, HOWEVER, SINCE THE BASIN NUMBER IS WRONG(69) AND IT SHOULD BE BASIN 67, THIS CLAIM HAS BEEN RENUMBERED TO THIS CLAIM NO. REFERENCE HAS BEEN MADE ON 69-04100 TO THIS CLAIM NO.

ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

67-10327, A67-02163, A67-10326

- ☐ No account number on mail
☐ Account number illegible

Addressee's Name

Wendell Horn

Old Address (Include apartment or suite number)

City, State, and ZIP Code

Hc 67 Box 3590
Cambridge, Id 83610

New Address (Include apartment or suite number)

City, State, and ZIP Code

3645 Mill Creek Rd
Cambridge, Id 83610

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

- | | | |
|---|---|---|
| ☐ Moved, left no address | ☐ No such street | ☐ No such number |
| ☐ Refused | ☐ Attempted, not known | ☐ Unclaimed |

