

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 30 2006

WATER RESOURCES
WESTERN REGION

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: 67-14497

NICHOLAS W WIEBE

PO BOX 13

CAMBRIDGE ID 83610

Telephone Number: (208) 257-3857

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

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: 11-29-2006 SIGNATURE: Deborah Wiebe Nicholas W. Wiebe
Please print your name: Deborah Wiebe Nicholas W. Wiebe

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

11/05/2006

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

RIGHT NUMBER: 67-14497

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

SOURCE: SPRINGS

TRIBUTARY: UNNAMED DRAIN

QUANTITY: 0.030 CFS

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION:

T13N R03W S9 SWSWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.030 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T13N R03W S09 SWNW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PIN NO. RP13N03W093600.

Stockwater use is for 100 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14497

WATER RIGHT NUMBER: 67-14497 ✓

Owner Type Name and Address
 Current Owner NICHOLAS W WIEBE ✓
 PO BOX 13
 CAMBRIDGE, ID 83610
 (208) 257-3857

Priority Date: ⁰¹ 03/01/1950 ✓
 Basis: Beneficial Use ✓
 Status: Active

Source
 SPRINGS ✓

Tributary
 UNNAMED DRAIN ✓

Property Address:
2253 Valley Rd.
83645

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER ✓	01/01 to 12/31 ✓	0.030 CFS ✓	<u> </u>
	Total Diversion:	0.030 CFS ✓	<u> </u>

Location of Point(s) of Diversion

SPRINGS ✓ SW1/4SW1/4NW1/4 ✓ Sec. 9, Twp 13N, Rge 03W, B.M. ✓
 WASHINGTON County ✓

Place of Use
 STOCKWATER ✓

Twp	Rge	Sec	NE				NW ✓				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 13N	03W	9							X										

Conditions of Approval:

1. Affidavit attached regarding the date of known spring usage.

Remarks:

Comments:

ADD X02 - Stockwater use is for 100 range cattle.

ADD N11 -

Pin # RP13N03W093600. (40.0 acres)

#67-14497

SWNW

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14497

11/05/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
'-23	Claim	13N	03W	9	SW	NW		IRRIGATION	40/3759	MIDDLE VALLEY DITCH CORP
'-24	Claim	13N	03W	9	SW	NW		IRRIGATION	40/3759	MIDDLE VALLEY DITCH CORP
'-25	Claim	13N	03W	9	SW	NW		IRRIGATION	40/3759	MIDDLE VALLEY DITCH CORP
4434	Claim	13N	03W	9	SW	NW		IRRIGATION	40/3759	MIDDLE VALLEY DITCH CORP
4434	Water Right	13N	03W	9	SW	NW		IRRIGATION	40/3711	MIDDLE VALLEY DITCH CORP
~~14497~~	~~Claim~~	~~13N~~	~~03W~~	~~9~~	~~SW~~	~~NW~~		~~STOCKWATER~~		~~NICHOLAS W WIEBE~~

no overlap

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

12 gal/day/head
12,500 gpd
A. Kenneth Dunn

Receipt Details for ID W032389

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/12/2004 2:03:05 PM	11/12/2004 2:32:08 PM	WESTERN	\$25.00	Check
Payer		WIEBE, NICHOLAS W (OR) DEBORAH J		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1865			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report

October 7th 04

My Name is
Richard Doggett
cattle were
being watered from
the springs and
drainage ditches on
the place Nick
Wiebe now
owns on Valley
Road as early
as 1950

Richard R Doggett

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 67-14497
Date Received: 11/12/2004
Receipt No: W032389
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 03/01/1950

3. Source: SPRINGS Trib. to: UNNAMED DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
13N	03W	9	SW	SW	NW	WASHINGTON	

5. Description of diverting works:

Pipe, small holding pond.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.03	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	9	SW	NW	STOCKWATER	

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:

14. Remarks:

Affidavit attached regarding the date of known spring usage.

15. Basis of Claim: Beneficial Use

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

Identification No. A67-14497Date Received 11-12-04Receipt Number W032389

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

NOV 12 2004

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) NICHOLAS W. WIEBE Phone (208) 257-3857Mailing Address PO BOX 13 CAMBRIDGE ID Zip 83610② Date of Priority (Only one per claim) MARCH 1, 1950 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) SPRINGwhich is tributary to (b) UNNAMED DRAIN Name or kind of source4. Location of point of diversion is: Township 13N Range 3WSection 9, SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,County of WASHINGTON

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. PIPE, SMALL HOLDING POND

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stockwater Month/Day 03 purposes from 1/1 to 12/31 amount .03 (cfs)

For _____ purposes from _____ to _____ amount _____ (Both dates are inclusive)

7. Total quantity claimed .03 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 100 BEEF STOCK

10. Place of use is: Township: 13N Range 3W

Section 9, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes / No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

(/ None or _____

14. Remarks: See attached affidavit concerning the date of known spring usage. - Richard Doggett grew up on this farm and with his dad, farmed it from the 1940's until the early 1970's

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date Sept 29, 04

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

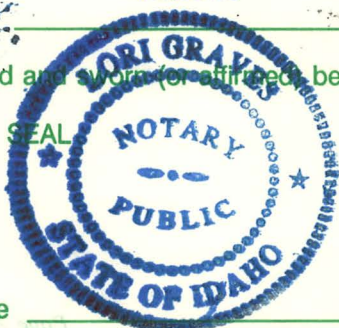
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)

County of _____) SS.

Subscribed and sworn (or affirmed) before me this 29th day of Sept 2004



Notary Public Lori Graves

Residing at Boise

My Commission Expires 6/18/04

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

NOTARIZATION REQUIRED FOR EACH CLAIM

Idaho Department of Water Resources Receipt

Receipt ID W032389

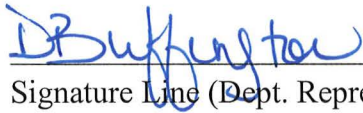
Payment Amount \$25.00 Date Received 11/12/2004 2:03:05 PM Region Western Status
Payment Type Check Check Number 1865

Payer WIEBE, NICHOLAS W (OR) DEBORAH J

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337		42503	1155



Signature Line (Dept. Representative)