

IDAHO DEPARTMENT OF WATER RESOURCES

9/15/2017

Proof Report

Water Right 67-4229

After Split

<u>Owner Type</u>	<u>Name and Address</u>
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
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

Priority Date: 5/10/1918**Basis:** Decreed**Status:** Active

Source
HORNET CREEK

Tributary
WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.170 CFS	
	Total Diversion		0.170 CFS	

Source and Point(s) of Diversion

HORNET CREEK

SWSENW

Sec. 30, Twp 17N, Rge 01W, ADAMS County

Place Of Use

IRRIGATION within ADAMS County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	30															18.0		18.0

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17N	01W	31		14.0													14.0
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Right Acre Limit: 22.4

POU Total Acres: 32.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 22.4 acres in a single irrigation season. Combined Right Nos.: 67-4229 and 67-14777.
3. This right is limited to the diversion rate of 0.168 cfs.

Comments:

1. csaxton 9/1/2006 Diversion Rate
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
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)
Ownership changed by DB 3/15/2002
4. csaxton 9/1/2006 From Claim (2)
Same place of use as 67-377.
5. Ownership Change 9/15/2017 Split Right
Split into 67-15183
6. djudd 9/15/2017 Split Right
Split into 67-4229 & 67-15183 due to change in ownership
7. djudd 9/15/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 10/20/2008

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/15/2017

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

22.4

67-4229 ,67-14777

SubCase:

N/A

Water Supply Bank:

N/A

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Original Owner	E LUCILLE MOORE 1005 BRENNAN POCATELLO, ID 83201 (208) 237-4688
Original Owner	RAY H MOORE 1005 BRENNAN POCATELLO, ID 83201

Priority Date: 5/10/1918

Basis: Decreed

Status: Active

Source
HORNET CREEK

Tributary
WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.231 CFS	
	<u>Total Diversion</u>		0.231 CFS	

Source and Point(s) of Diversion

HORNET CREEK SWSNW Sec. 30, Twp 17N, Rge 01W, ADAMS County

Place Of Use

IRRIGATION within ADAMS County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	30															30.0		30.0

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9/14/2017

17N	01W	31		14.0													14.0
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Right Acre Limit: 30.8

POU Total Acres: 44.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 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. 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

Comments:

1. csaxton 9/1/2006 Diversion Rate
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
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 concentered 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)
Ownership changed by DB 3/15/2002
4. csaxton 9/1/2006 From Claim (2)
Same place of use as 67-377.

Dates and Other Information

Decreed Date: 10/20/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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Proof Report

9/14/2017

30.8

67-377 V1,67-4229

SubCase:

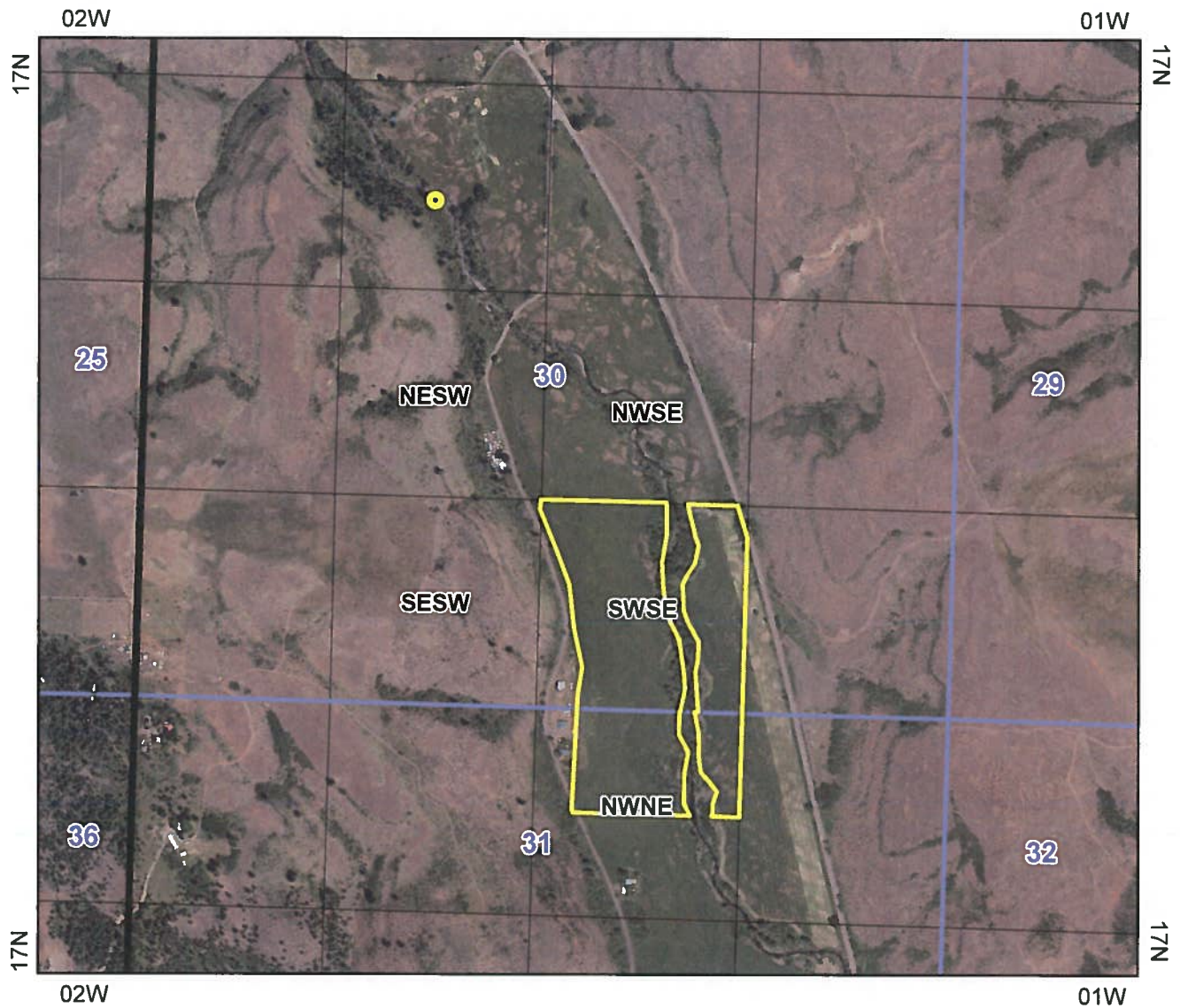
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
67-4229

Before Split



0 0.125 0.25 0.5 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

