

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-47C

WATER RIGHT NUMBER: 57-47C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOHN GABICA 8505 N HWY 52 EMMETT, ID 83617 (208)584-3345
Original Owner	GENE E GABICA 8505 N HWY 52 EMMETT, ID 83617 (208)584-3345
Previous Owner	GARY CAMPBELL HC 79 BOX 316 MELBA, ID 83641 (208)495-2912
Previous Owner	DEBRA CAMPBELL HC 79 BOX 316 MELBA, ID 83641 (208)495-2912
Current Owner	MATTHEW E BARNEY 5518 FREMONT ST BOISE, ID 83706
Current Owner	JEAN M BARNEY 5518 FREMONT ST BOISE, ID 83706 (208)337-5518

Priority Date: 04/01/1876

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BATES CREEK	PICKETT CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.610 CFS	
STOCKWATER	1/01 to 12/31	0.050 CFS	
	<u>Total Diversion:</u>	0.610 CFS	

Location of Point(s) of Diversion

BATES CREEK	NW 1/4SW 1/4	Sec. 29, Twp 04S, Rge 01W, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T04S R01W S29 SENE 9.1

Total Acres: 9.1

STOCKWATER Within OWYHEE County

T04S R01W S29 SENE

SUPPORT DATA

ON FILE # 57-47A

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Conditions of Approval:

1. P21 This right is a split from former right 57-47.
2. E52 The rights listed below are limited to a total combined diversion rate of 0.66 cfs. Combined Right Nos.: 57-47C, 57-11735 and 57-11737.
The rights listed below are limited to a total combined diversion rate of 2.4 cfs. Combined Right Nos.: 57-47C, 57-11704, 57-11706, 57-11728, 57-11729, 57-11730, 57-11731, 57-11732, 57-11733, 57-11734, 57-11735, 57-11736, 57-11737 and 57-11738.
3. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY WHEN COMBINED WITH ALL OTHER RIGHTS. Combined Right Nos.: 57-47C, 57-11704, 57-11706, 57-11728, 57-11729, 57-11730, 57-11731, 57-11732, 57-11733, 57-11734, 57-11735, 57-11736, 57-11737 and 57-11738.
4. This right when combined with all other rights shall not exceed .02 cfs per acre for irrigation.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. E56 The rights listed below are limited to the irrigation of a combined total of 10.1 acres in a single irrigation season. Combined Right Nos.: 57-47C, 57-11735 and 57-11737.
The rights listed below are limited to the irrigation of a combined total 36.8 acres in a single irrigation season. Combined Right Nos.: 57-47C, 57-11704, 57-11706, 57-11728, 57-11729, 57-11730, 57-11731, 57-11732, 57-11733, 57-11-34, 57-11735, 57-11736, 57-11737 and 57-11738.

Remarks:

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Comments:

1. HOWERTON 12/18/1991 BATES CREEK POU
Comment: BATES CREEK RIGHTS #47 AND #77 DO NOT OVERLAP. THEY SHARE A COMMON P/D AND DITCH. DITCH LOSS IS FIGURED SEPARATELY SINCE EACH RIGHT IS SEPARATE IN ITSELF. SEE THE MAP IN THIS FILE. DITCH LENGTH = 1.25 MILE PICKETT CREEK OVERLAP PICKETT CREEKS DITCH CROSSES BATES CREEK VIA CULVERT. SEE MAP IN THIS FILE AND PICTURE IN 57-00051. THE MAP SHOWS WHERE THE CULVERT CROSSES BY THE SOLID GOLD COLORED LAND AND THE GREEN CROSS HATCHED LAND. THE GREEN CROSS HATCHED LAND IS WHERE BOTH PICKETT CREEK AND BATES CREEK SHARE THE SAME POU.
2. SCHULTZ 8/24/1992 NOTICE OF ERROR (NOE)
Comment: RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 7/16/92. DID NOT REVERIFY ANY PART OF CLAIM.
3. HOWERTON 9/16/1992 CHANGES FROM NOTICE OF ERROR
Comment: WANTED TO ADD STOCKWATER USE, ORIGINAL CLAIMANT DID NOT CLAIM ANY.
4. DSMITH 1/17/1996 NAME AND/OR ADDRESS CHANGE
Comment: THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE. NAME/ADDRESS CORRECTED TO AVOID DUPLICATE MAILING LABELS
5. JSHURTE 6/28/1996 ADDED C05-CHANGE IN POU CONDITION
Comment: THE C05 CONDITION WAS ADDED DUE TO A CHANGE IN THE PLACE OF USE FROM WHAT WAS ORIGINALLY DECREED TO WHAT WAS RECOMMENDED. THIS WAS INADVERTENTLY OMITTED IN THE ORIGINAL RECOMMENDATION.
6. JSHURTE 8/15/1996 NON-IRRIGATION USE-COPIED FROM ITEM #9
Comment: STOCKWATER, 700 CATTLE, 30 HORSES
7. SSHERMAN 11/4/1996 OWNERSHIP CHANGE
Comment: FORM 42-1409(7) OWNERSHIP CHANGE, PARKINSON/JOHN & GENE GABICA AND WALTER & BARBARA WATKINS.
8. segbert 1/18/2008 POU
Comment: Updated Shape
9. jhersley 3/6/2008 conveyance loss
Comment: 0.43 cfs of this right is for conveyance loss.
10. jhersley 3/6/2008 ownership change
Comment: Campbell to Barney
11. jhersley 3/6/2008 from conditions
Comment: 57-47 was decreed in the SRBA. After the decree was issued this right was split into 57-47A, B and C for some reason the 57-47 was left as Active and the 57-47A, B and C were given Superseded by Decree as the status. In reviewing the files it appears that the splits are correct and should be reflected as Active and 57-47 as the Parent right. These are being changed to show the correct status.