

IDAHO DEPARTMENT OF WATER RESOURCES

4/12/2024

Proof Report

BEFORE SPLIT**Water Right 67-387**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN C BROWN 2730 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208) 253-6018
Current Owner	MARY L BROWN 2730 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208) 253-6018
Original Owner	WARNING-BOGUS POD FOR UPDATE PURPOSES , ID
Original Owner	FRANK PECKA RT 1 BOX 270 KAMIAH, ID 83536 (208) 935-1157
Original Owner	C M GILMER , ZZ

Priority Date: 5/1/1884**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	04/01	10/31	0.750 CFS	
	<u>Total Diversion</u>		0.750 CFS	

Source and Point(s) of Diversion:

HORNET CREEK	NWSW
HORNET CREEK	SWNE

Sec. 5, Twp 17N, Rge 02W, ADAMS County
Sec. 5, Twp 17N, Rge 02W, ADAMS County

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4/12/2024

Place Of Use:

IRRIGATION within ADAMS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02W	4						16.0 L4	13.0			30.0							59.0
17N	02W	5	40.0 L1	11.0 L2	35.0	39.0			0.5	18.0					16.0	0.5			160.0

Right Acre Limit: 60.00
POU Total Acres: 219.0

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. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Use of this right is combined with water from Hornet Creek Water Users Association.
4. E51 Right Nos. 67-387, 67-397, 67-400, 67-14805 and 67-14806 are limited to a total combined diversion rate of 3.26 cfs.
5. K06 This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.

Comments:

1 segbert 8/27/2004 POD
Cannot verify POD

2 segbert 8/27/2004 POU
The description on the decree and on the claim do not match

3 mvanbussum 10/23/2006 POU
It appears there is more acreage irrigated than there is a water right for. We tried to recreate the decreed POU because that is what we had to go on. POU is recommended based on decreed information and continuity of land. Acreage in NESE Sec 5 and SWNW Sec 4 was recommended because it appeared to be the intention of the claimant to claim the entire field, which also fits with the topography. Condition C05 was added to explain this in the recommendation.

4 mvanbussum 10/23/2006 Source
Pearl Creek is claimed as a source, but was not included in the Muir v. Allison decree. Therefore, Pearl Creek is not recommended as a source. The field exam conducted on 1 July 2005 by Melanie Vining states Pearl Creek water is used.

5 mvanbussum 10/23/2006 Quantity
Recommended as decreed.

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6 mvanbussum 10/23/2006 SOU
Recommended standard season of use.

7 mvanbussum 12/12/2006 POU
Claimant filed two beneficial use claims to claim the decreed rights as a permissible place of use.

Dates and Other Information:

Decreed Date: 10/20/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 67
Mitigation Plan: False

Combined Use Limits:**Rate**

3.260

Volume**Acres****Water Rights**

67-387 ,67-397 ,67-400
,67-14805 ,67-14806

SubCase:

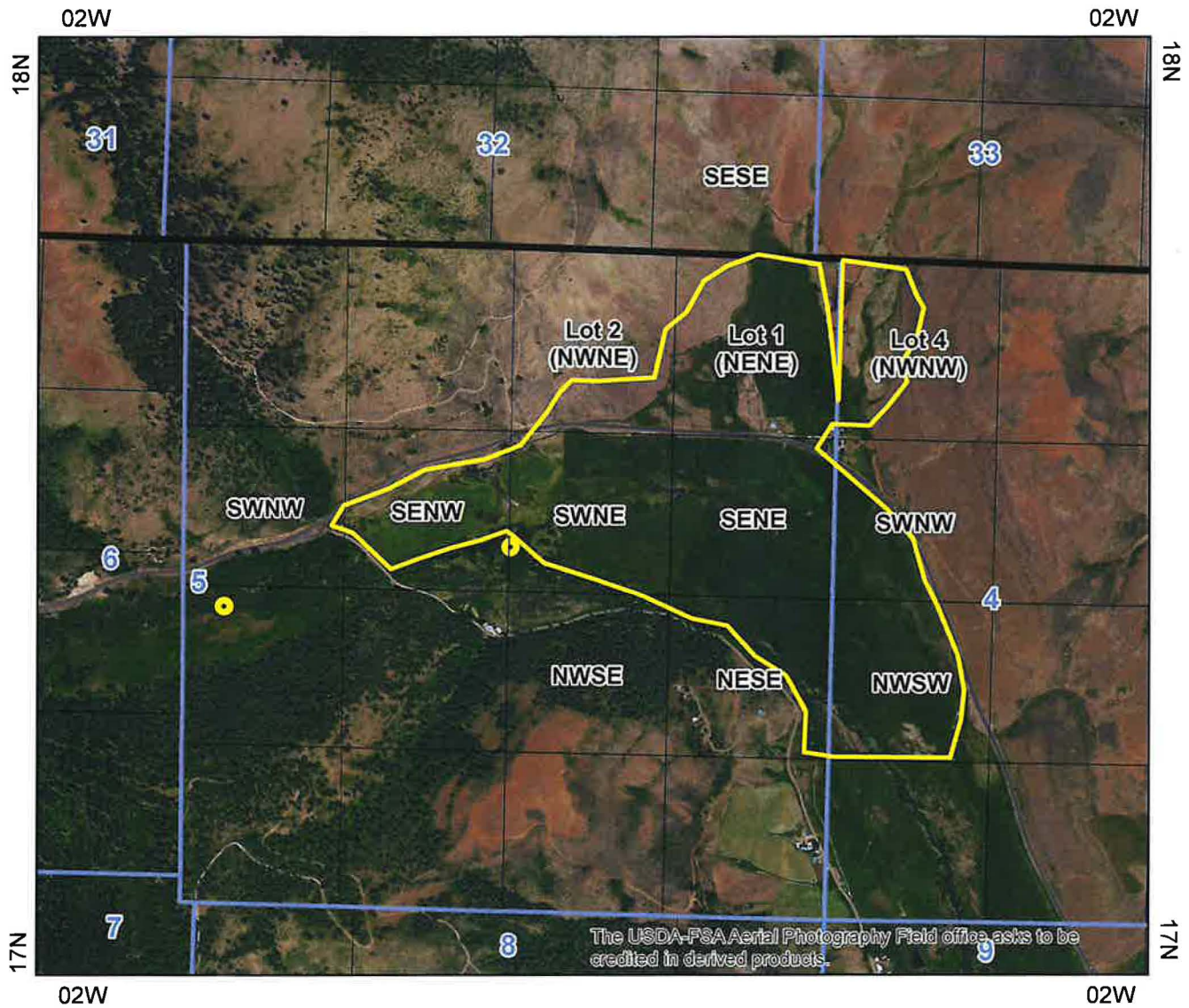
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
67-387

BEFORE SPLIT



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- State Outline

IDAHO DEPARTMENT OF WATER RESOURCES

6/4/2024

Proof Report

AFTER SPLIT

Water Right 67-387

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Current Owner	JOHN C BROWN 2730 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208) 253-6018
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Priority Date: 5/1/1884**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	04/01	10/31	0.010 CFS	
	<u>Total Diversion</u>		0.010 CFS	

Source and Point(s) of Diversion:

HORNET CREEK	NWSW
HORNET CREEK	SWNE

Sec. 5, Twp 17N, Rge 02W, ADAMS County
Sec. 5, Twp 17N, Rge 02W, ADAMS County

IDAHO DEPARTMENT OF WATER RESOURCES

6/4/2024

Proof Report

Place Of Use:

IRRIGATION within ADAMS County

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
17N	02W	5							0.5										0.5	

Right Acre Limit: 0.13
POU Total Acres: 0.5

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. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Use of this right is combined with water from Hornet Creek Water Users Association.
4. E51 Right Nos. 67-387, 67-397, 67-400, 67-14805 and 67-14806 are limited to a total combined diversion rate of .12 cfs.

Comments:

1 segbert 8/27/2004 POD
Cannot verify POD

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Recommended standard season of use.

7 mvanbussum 12/12/2006 POU

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Proof Report

6/4/2024

Claimant filed two beneficial use claims to claim the decreed rights as a permissible place of use.

8 DMansfield 4/12/2024 POU
Updated Shape

9 DMansfield 4/12/2024 Split Right
Split into 67-15487. Actual Diversion Rate after split is .002 CFS.

Dates and Other Information:

Decreed Date: 10/20/2008

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 67

Mitigation Plan: False

Combined Use Limits:

Rate

3.260

Volume

Acres

Water Rights

67-387 ,67-397 ,67-400

,67-14805 ,67-14806

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

67-387

AFTER SPLIT



0 0.05 0.1 0.2 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline

