

IDAHO DEPARTMENT OF WATER RESOURCES

6/4/2024

Proof Report

BEFORE SPLIT

Water Right 67-400

<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	FRANK PECKA RT 1 BOX 270 KAMIAH, ID 83536 (208) 935-1157

Priority Date: 6/30/1895**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	0.200 CFS	
	<u>Total Diversion</u>		0.200 CFS	

Source and Point(s) of Diversion:

HORNET CREEK	NWSW	Sec. 5, Twp 17N, Rge 02W, ADAMS County
HORNET CREEK	SWNE	Sec. 5, Twp 17N, Rge 02W, 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	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: 16.00
 POU Total Acres: 219.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/4/2024

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. | | Use of this right is combined with water from Hornet Creek Water Users Association. |
| 3. | 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. |
| 4. | K06 | This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season. |

Dates and Other Information:

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

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
3.260			67-387 ,67-397 ,67-400 ,67-14805 ,67-14806

SubCase:

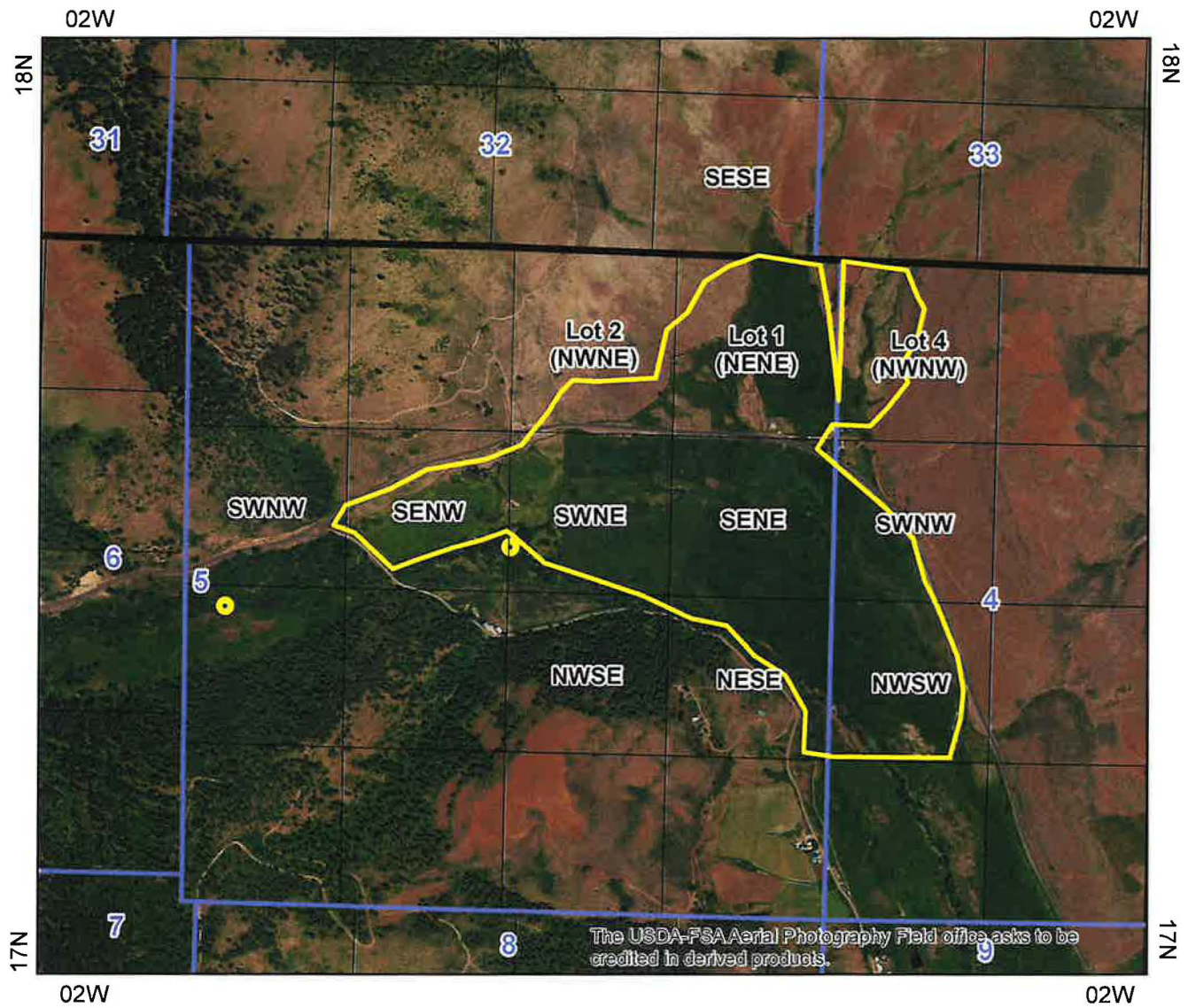
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
67-400

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 67-400

<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	FRANK PECKA RT 1 BOX 270 KAMIAH, ID 83536 (208) 935-1157

Priority Date: 6/30/1895**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	Sec. 5, Twp 17N, Rge 02W, ADAMS County
HORNET CREEK	SWNE	Sec. 5, Twp 17N, Rge 02W, 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	02W	5							0.5										0.5

 Right Acre Limit: 0.13
 POU Total Acres: 0.5
Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

6/4/2024

Proof Report

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. Use of this right is combined with water from Hornet Creek Water Users Association.
3. 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 8/31/2004 POD
Updated shape

2 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.

3 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.

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

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

6 mvanbussum 12/12/2006 POU
Claimant filed two additional beneficial use claims to claim property as a permissible place of use.

7 DMansfield 6/4/2024 Split Right
Split into 67-15498.

8 DMansfield 6/4/2024 POU
Updated Shape

Dates and Other Information:

Decreed Date: 10/20/2008

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/4/2024

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
67-400

AFTER SPLIT



0 0.05 0.1 0.2 Miles

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

