

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2024

Water Right 41-5 AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	R SCOTT WESTON FARMS 4448 HWY 37 ROCKLAND, ID 83271 (208) 548-2379
Previous Owner	R SCOTT WESTON 4448 ROCKLAND HWY ROCKLAND, ID 83271 (208) 548-2279
Previous Owner	HERBERT R WESTON 4448 ROCKLAND HWY ROCKLAND, ID 83271 (208) 548-2279

Priority Date: 4/10/1880

Basis: Decreed

Status: Active

Source
SOUTH FORK ROCK CREEK

Tributary
ROCK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	6/30	0.260 CFS	
	<u>Total Diversion</u>		0.260 CFS	

Source and Point(s) of Diversion:

SOUTH FORK ROCK CREEK NWNWNW Sec. 20, Twp 10S, Rge 31E, POWER County

Place Of Use:

IRRIGATION within POWER 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	
10S	31E	17										10.0	27.0						37.0

Right Acre Limit: 12.90
POU Total Acres: 37.0

Conditions of Approval:

- N16 THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL

IDAHO DEPARTMENT OF WATER RESOURCES

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- (ONEIDA COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903).
 ANY CHANGE IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE
 A CHANGE IN THE POINT OF DIVERSION REQUIRING APPROVAL BY THE
 IDAHO DEPARTMENT OF WATER RESOURCES AS A TRANSFER
 PURSUANT TO I.C. SECTION 42-222.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12.9 ACRES WITHIN THE
 PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 USE OF THIS RIGHT WITH RIGHT NO. 41-00050 and 41-10250 IS LIMITED
 TO THE IRRIGATION OF A COMBINED TOTAL OF 37 ACRES IN A SINGLE
 IRRIGATION SEASON.
3. 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.

Comments:

- 1 SCLELLAN 6/9/1999 COPIED FROM REMARKS
 THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN ARBITRATOR'S FINDINGS
 AND CONCLUSIONS. THE ONLY PARTY LISTED IN PLEADINGS IS H. P. HOUTZ. | CHANGE IN P/U
 IS TO UPDATE UNRECORDED TRANSFERS.
- 2 AJU10-DJ 10/28/1999 AJU10 CONDITION UPDATE
 CONDITION CODE(S) N16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
- 3 AJU10-DJ 10/29/1999 AJU10 CONDITION UPDATE
 CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
- 4 wmills 9/17/2024 Split Right
 Split into 41-10300.
- 5 wmills 9/17/2024 POU
 Updated Shape

Dates and Other Information:

Decreed Date: 3/12/2001
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 41
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
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87.0

41-5 ,41-50 ,41-10250

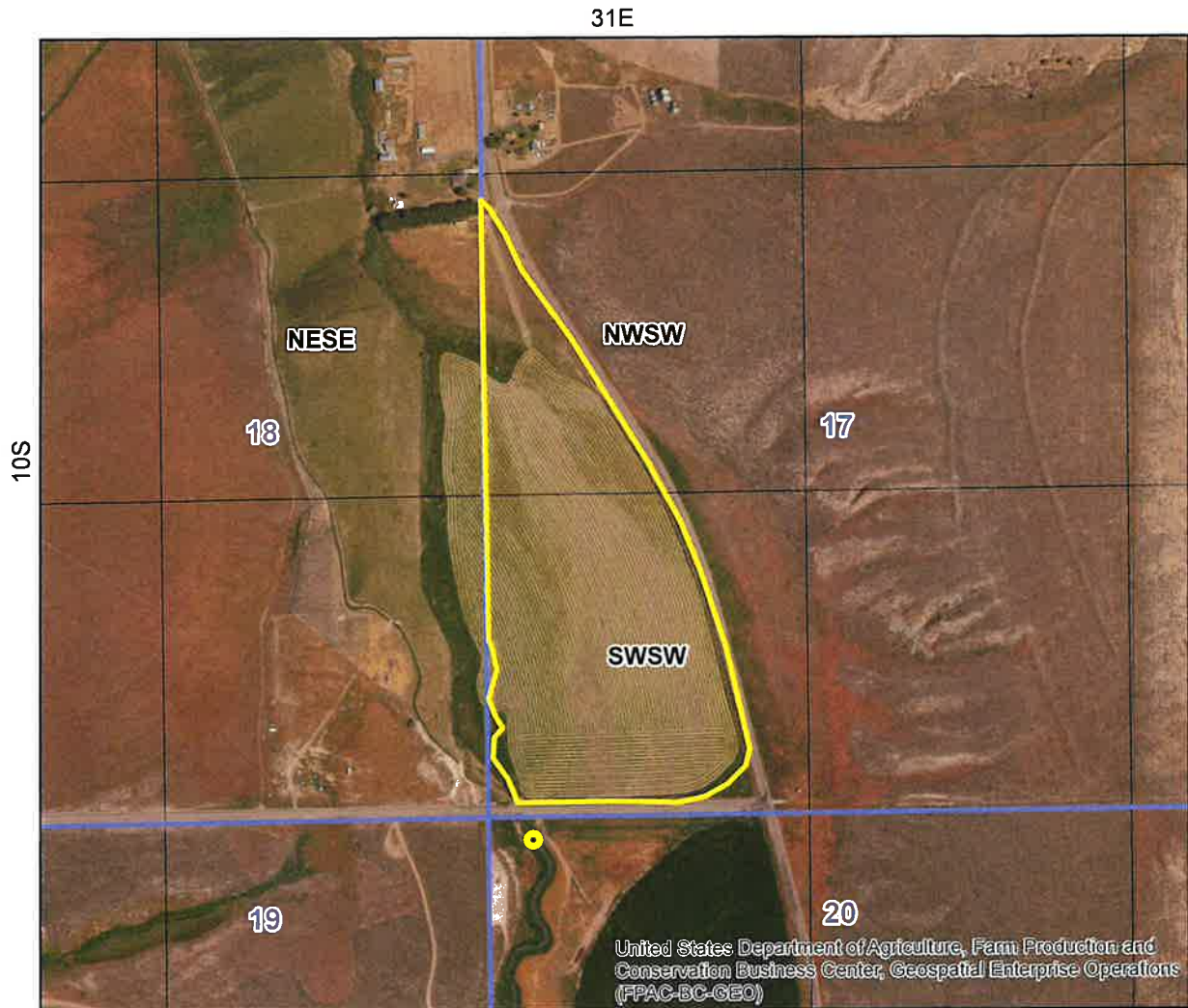
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
41-5 AFTER Ownership Change Split



0 0.075 0.15 0.3 Miles

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



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Priority Date: 4/10/1880

Basis: Decreed

Status: Active

Source
SOUTH FORK ROCK CREEK

Tributary
ROCK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	6/30	0.600 CFS	
	<u>Total Diversion</u>		0.600 CFS	

Source and Point(s) of Diversion:

SOUTH FORK ROCK CREEK NWNWNW

Sec. 20, Twp 10S, Rge 31E, POWER County

Place Of Use:

IRRIGATION within POWER 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	
10S	31E	17										10.0	27.0						37.0
10S	31E	18			2.0	19.0									21.5			7.5	50.0

Right Acre Limit: 30.00
POU Total Acres: 87.0

Conditions of Approval:

1. N16 THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF

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DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 41-00050 & 41-10250 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 87 ACRES IN A SINGLE IRRIGATION SEASON.

3. 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.

Comments:

1 SCLELLAN 6/9/1999 COPIED FROM REMARKS
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2 AJU10-DJ 10/28/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) N16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3 AJU10-DJ 10/29/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 3/12/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 41
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		87.0	41-5 ,41-50 ,41-10250

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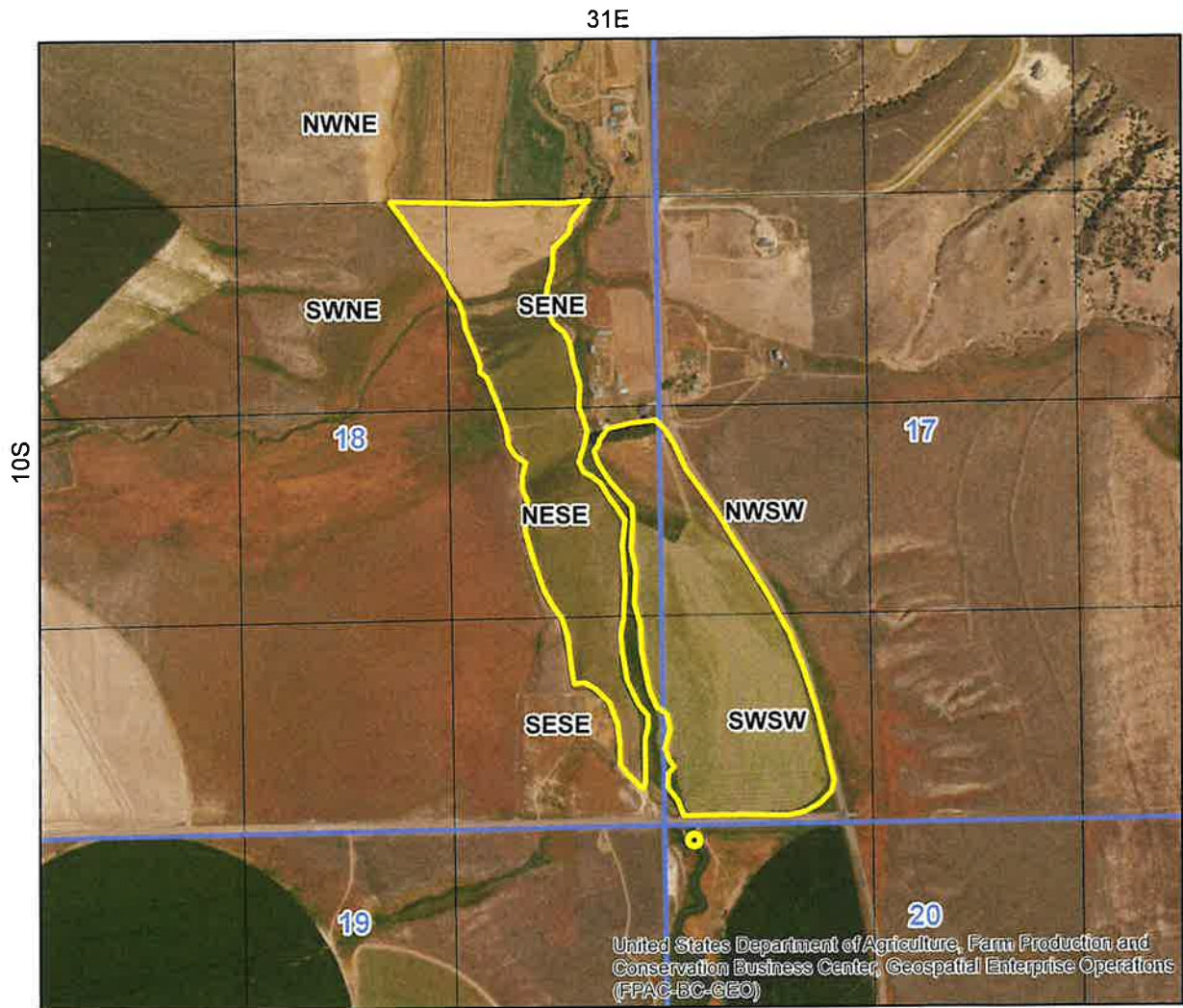
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
41-5 BEFORE Ownership Change Split



0 0.125 0.25 0.5 Miles

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

