

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-11192
Date Received: 5/30/1989
Receipt No: E009040
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM WISSERT 208-785-5725
Address: 579 W. 200 S.
BLACKFOOT, ID 83221
OR
Name: WINORA WISSERT 208-785-5725
Address: 579 W. 200 S.
BLACKFOOT, ID 83221

2. Date of Priority: JAN 01, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	35E	18	NE	NW	NW		BINGHAM

5. Description of diverting works:
HOUSEHOLD WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.060		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/2 COWS

A27-11192

Page 1

Date: 08/10/89

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A2711192



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	18	NE	NW		IRR	2.0
			NE	NW		DOMEST	

Section Acres 2.0

Total Acres 2.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

NO LATE FEE IF RECEIVED

BY

6/30/89

Dennis Dur. 1852
5257161IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
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E 009040

RECEIVED

JUN 12 1989

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUN 12 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s)

Winona Wissert
or

William Wissert

Phone (208) 785-5725

Mailing Address

579 W 2005, Blackfoot, Id Zip 83221

2. Date of Priority (Only one (1) per claim)

~~March 20, 1969 (27-02-006)~~

First Accessed 1910, Jan. 1st

3. Source of water supply (a)

groundwater

which is tributary to (b)

4. a. Location of existing point of diversion is: Township 3South Range 35E Section 18,NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. House Hold Well & Pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5-1 to 9-30 amount 0.06 or 6

For Domestic purposes from 1-1 to 12-30 amount .07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .01 cfs (cfs) and/or (b) .10 (acre feet)

8. Total consumptive use claimed is 6 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one House Hold, 2 cows, 2 Acres Irrigated

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	3SE	18		X				X											

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

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Last Name Wissert Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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Copies: White-State, Yellow-Calamant

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Wimona Wasnit Date 5-25-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 25th day of May 19 89

SEAL

Notary Public Gloria L. Swannick

Residing at Blackfoot

My Commission Expires 6/25/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

Log for claim 27-11192

Spatial Dynamics BTD

1/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	18	NENW	2	32	POD placement? / Indiscernible
Totals:			2	32	

AJ5809WP
No. A27-11192

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 197

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM WISSERT	01/01/1910	IRRIGATION	05-01 09-30	0.060 CFS	
C	WINONA WISSERT					
	579 W 200 S			TOTAL DIVERSION:	0.060 CFS	
	BLACKFOOT ID 83221					
	(208) 785-5725					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R35E S18

NENWNW

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03S	35E	18	:							02										:	2.0
																				TOTAL ACRES	2.0

POU County: BINGHAM

Non-Irrigation Uses: D/1 HOUSEHOLD, S/2 COWS

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10337 27-11239 A27-10337 A27-11239

Other Water Rights Listing Overlapping Place(s) of Use:
A27-07006 A27-10357 A27-10358 A27-10370

Remarks: GEN PROBABLY A PART OF 27-07006 DC. 3/95

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 08/10/89 KEISER 03/07/95 DCARLSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Winona Direct

CLAIM #

ENT. NO.

A27-11192

DATE RECEIVED

3-30-89

CK #

—

AMOUNT \$

—

YES

NO

Required Info?

1. Is the name and address complete with zip code? /
2. Is a priority date entered? /
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. /
3. (a) Is a source entered? /
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient? /
5. Is there a description of the diverting works? /
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. /
Is the period of use included? /
Is a quantity claimed for each use? /
7. Is a total quantity claimed entered? /
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated? /
11. Is (are) the county(ies) entered? /
12. Is the ownership of p.u. checked? /
13. Are other water rights listed or "none" indicated? /
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated? /
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. /
18. Has the claim been signed, sealed, and dated by a notary? /
19. Was this claim filed on time, or was an extension granted? /
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered? /

Claim checked by: EBDate: 7-21-89Claim must be returned to claimant: (Yes) (No) Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by:

Claim data entered by: SK 8/10/89

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

#10 - Per attached legal description - MICROFILMED#7 - 0.06 cfs / No Acre, per

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS

GOVERNOR

KEITH HIGGINSON

DIRECTOR

Date: May 31, 1989

William and Winona Wissert
579 W. 200 S.
Blackfoot, ID 83221

Department of Water Resources
Eastern District Office

RE: Water Right Claim Returned

Dear Mr. and Mrs. Wissert:

The Idaho Department of Water Resources (IDWR) is returning your check #3238 (\$52.00) and Notice of Claim to a Water Right because of insufficient information. All items on the claim forms must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected claim within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

- ✓ - Item #2: The date water was first used to irrigate the two acres must be entered. If you do not know the precise date you must estimate the day, month, and year. If the priority date is after March 25, 1963, you must complete the enclosed "Application for Permit" instead of the Notice of Claim.
- ✓ - Item #6: The guideline amount for two acres of irrigation is 0.06 cfs.
- ✓ - Item #7: The total amount is usually the sum of the amounts (cfs) listed in Item #6, limited to the capacity of your well.
- ✓ - Item #10: The location of the place of use must be indicated and/or outlined on the enclosed map.

If the priority date for the irrigation is after March 25, 1963, and you complete an "Application for Permit", you may either submit a Notice of Claim for the house (preserving the earlier priority date) with the permit application for irrigation, or you may file both the domestic and irrigation purposes on the permit application (no Notice of Claim). There is no filing deadline for the permit application. However, the priority date will be the date the application is received by the IDWR.

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If you have any questions, please call Tony Olenichak,
Water Rights Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

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STATE OF IDAHO
FHA FORM NO. 2114G
Rev. 3/76

DEED OF TRUST

This form is used in connection with deeds of trust insured under the one- to four-family provisions of the National Housing Act.

THIS DEED OF TRUST, Made this 2nd day of May, 19 77.

Between WILLIAM I. WISSERT AND WINONA WISSERT, Husband and Wife

, as Grantor,

whose address is Route #3 Box 63 Blackfoot Idaho 83221
(Street and Number) (City) (State)

TITLE AND TRUST COMPANY, as Trustee, and

MORTGAGE-INSURANCE CORPORATION, as Beneficiary,

Witnesseth: That Grantor irrevocably GRANTS, TRANSFERS, BARGAINS, SELLS, and ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the property in Bingham COUNTY, IDAHO, consisting of not more than three acres, described as:

A portion of the Lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T. 3 S., R. 35 E.B.M., Bingham County, Idaho, described as
Beginning at a point that is E. along the Section line 1367.81 feet and S. 19 feet from the NW corner of said Section, thence S. 339 feet, thence W. 256.99 feet, thence N. 339 feet, thence E. parallel with the Section line 256.99 feet to the point of beginning.

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