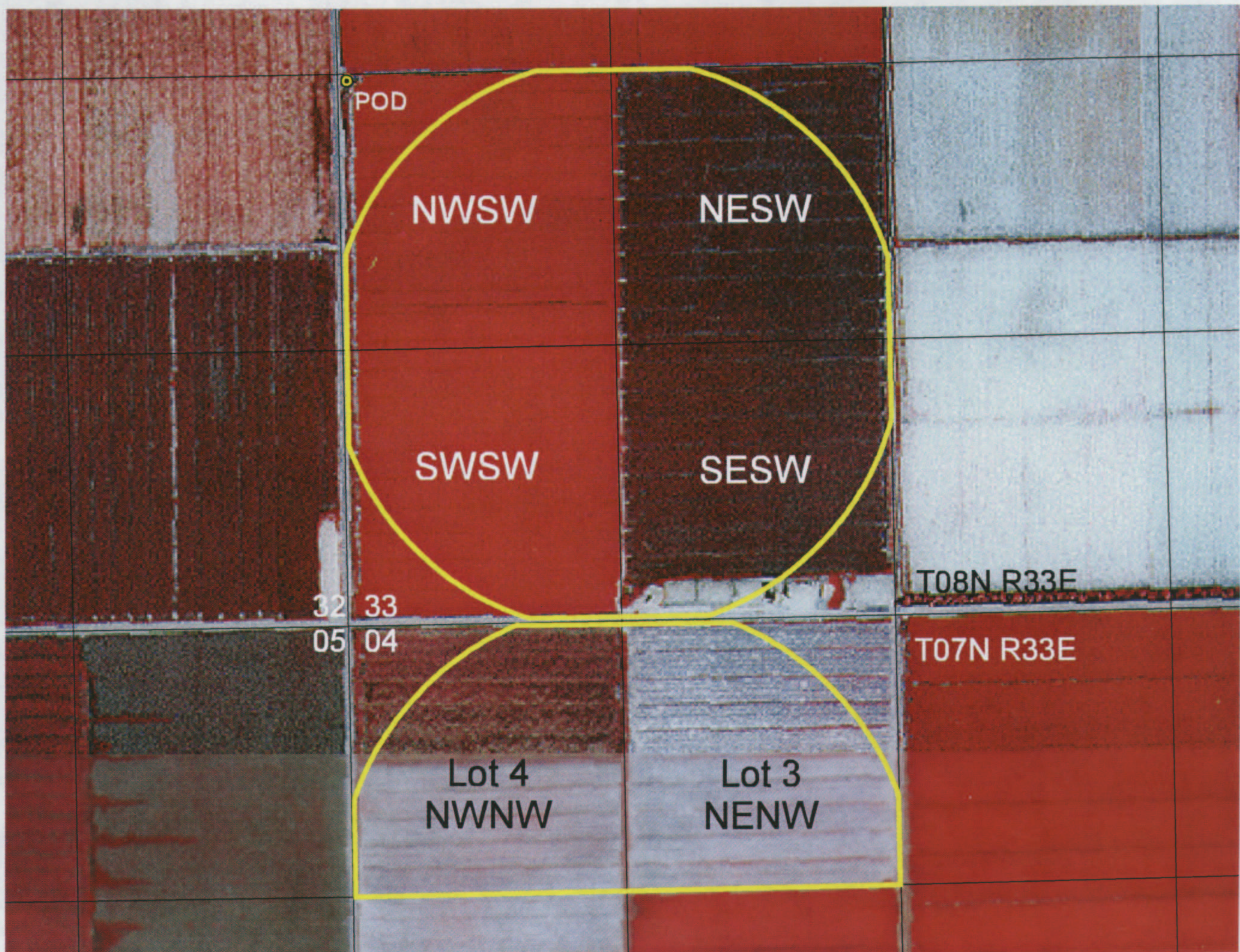


31-02303A



700 0 700 1400 2100 Feet

T07N R33E S04
T08N R33E S33

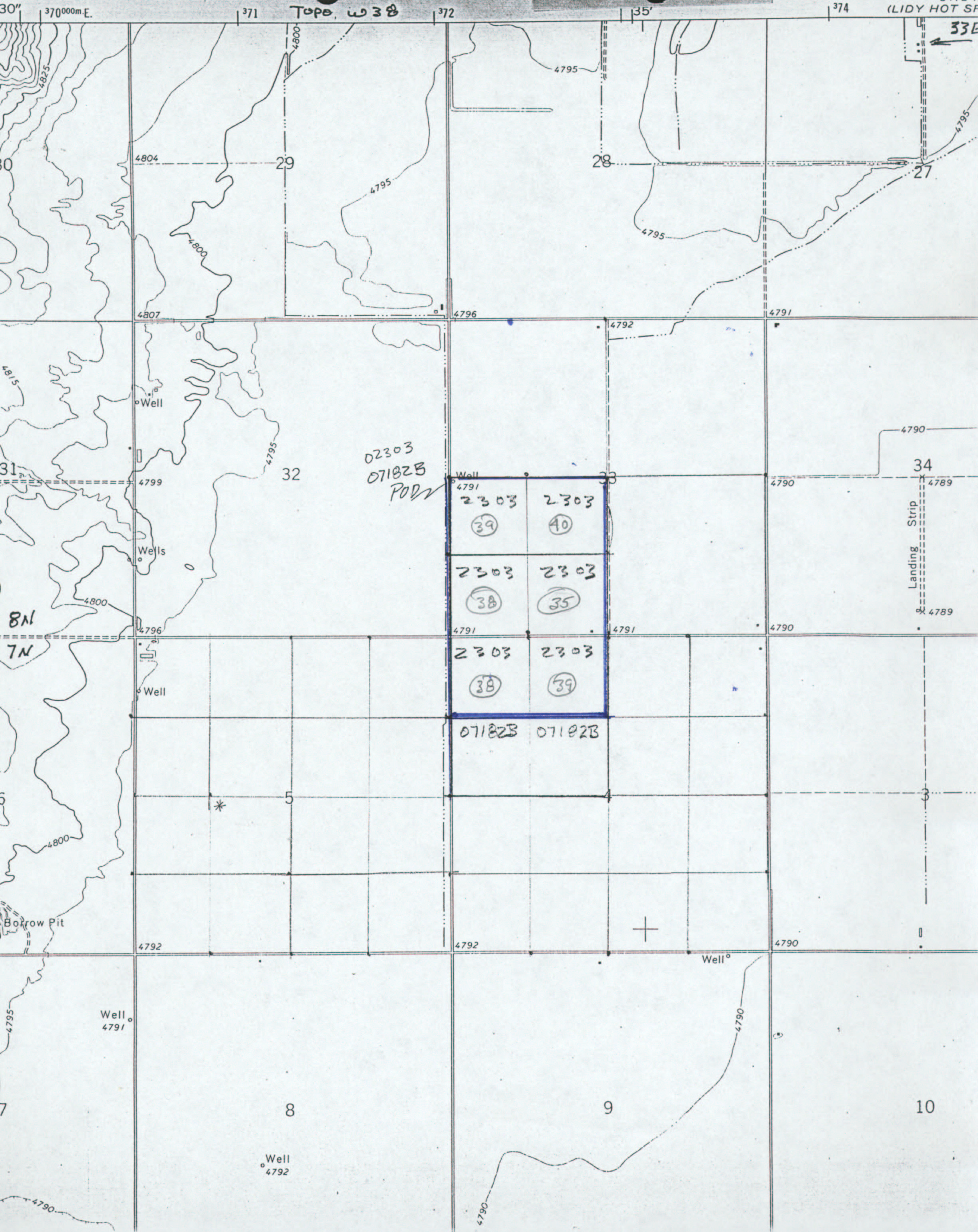


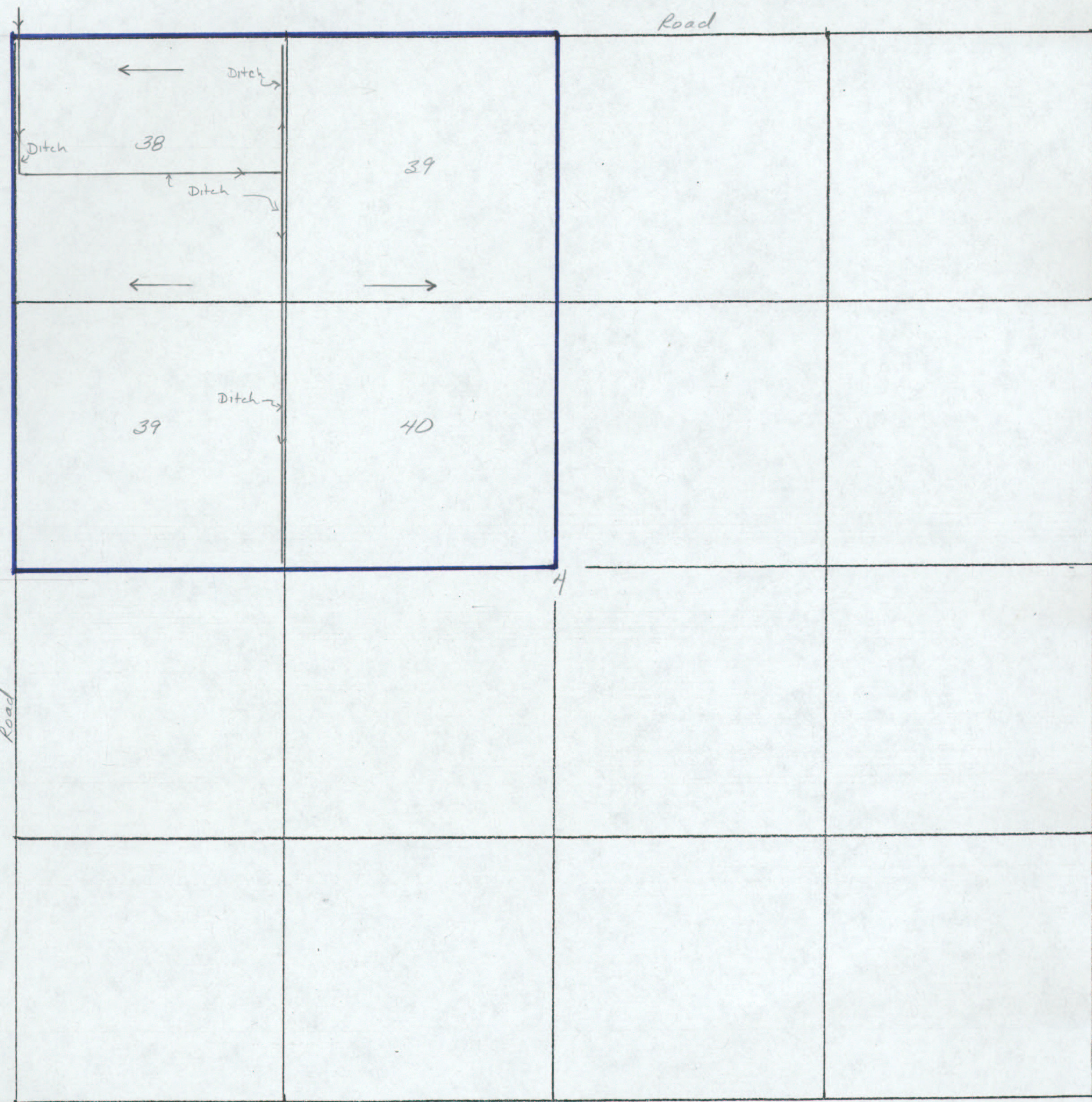
Map prepared by: Carter Fritschle
Date prepared: 12-19-00
1987-1988 NAPP photography
Idaho Department of Water Resources

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

8N 33E

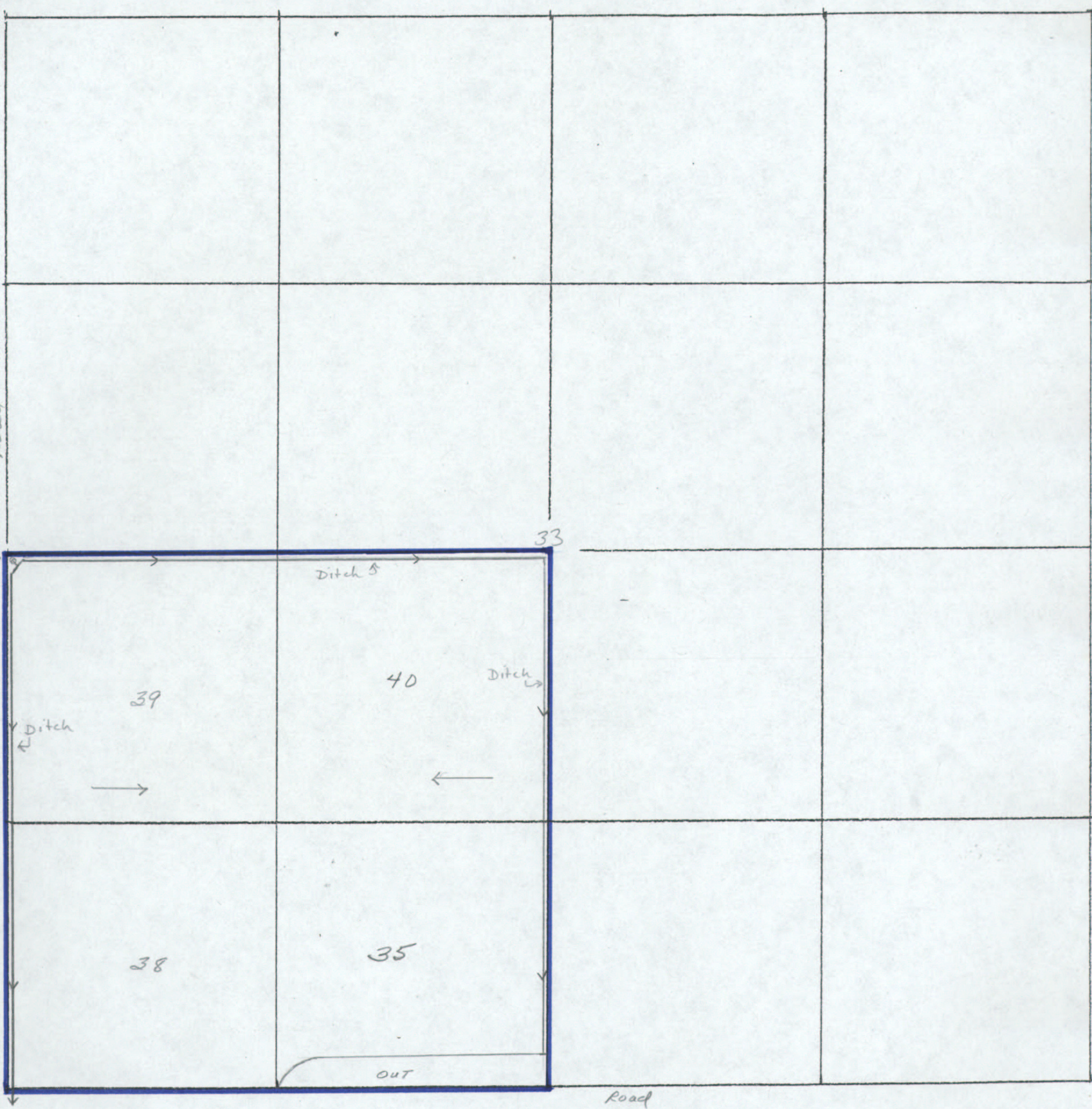
A31- 0230





Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 4DATE 10-5-94OPQ MAP # W38 NAPP # W38N4AGENT Fritschle



Scale 8.0" = 1.0 Mile

Township 8N Range 33E Section 33

DATE 10-5-94

DPQ MAP # W38 NAPP # W38N4

AGENT Fritschle

Claim identification no. A31-02303
A31-07182B

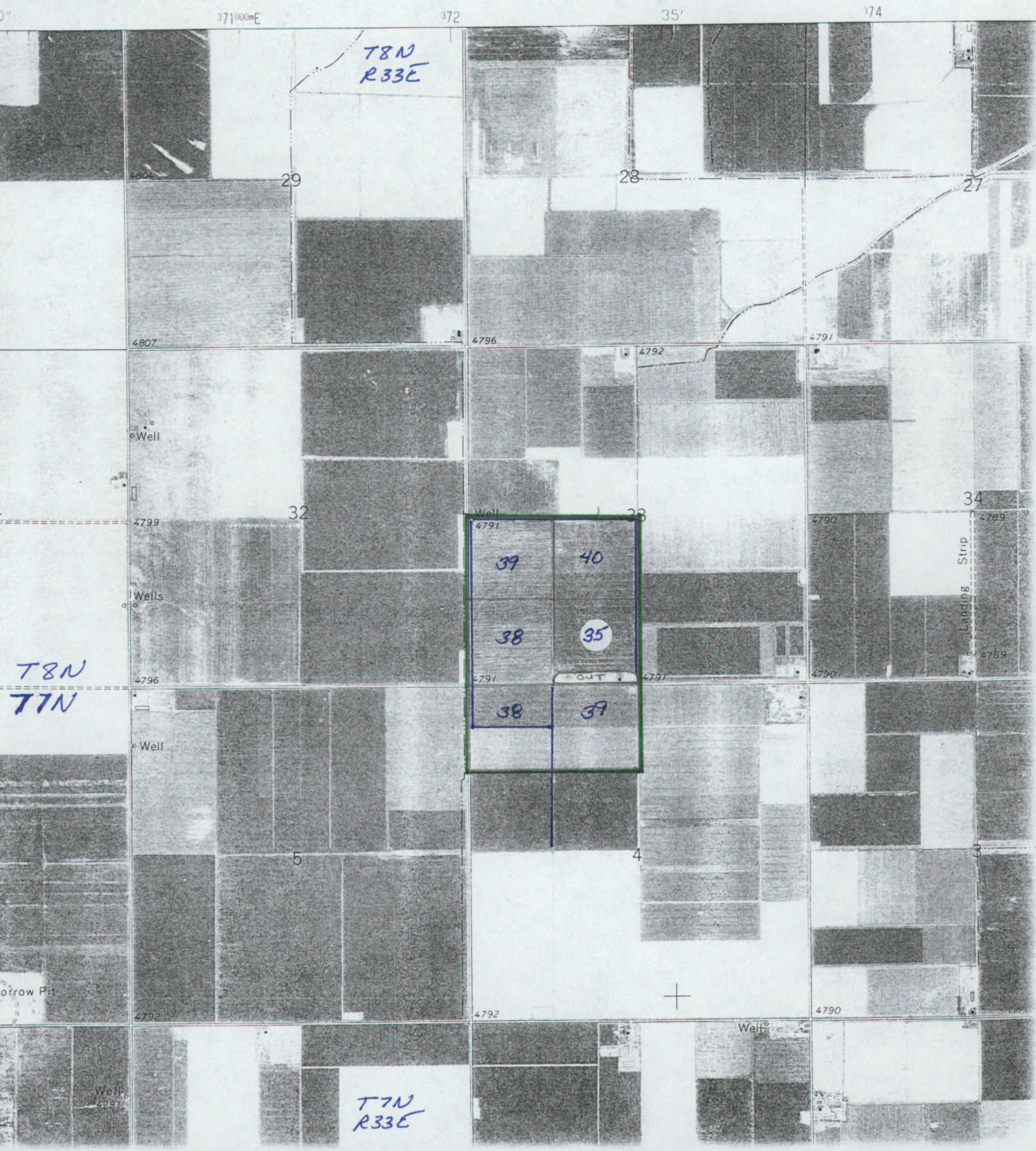


CA 10-5-94

looking west from approximately 30 ft. east of well
in NWNWSW Sec. 33, T 8N, R33E.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

W38
Photo
8-24-80



NHEL

(19)

50.6

P.O.D.

39

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101.5 NHEL

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35

NHEL

(22)

33 76.9

(23)

75.5 NHEL

X

340 out

(3)

92.4 NHEL

T8N
R33E

NHEL

(25)

19.1

39

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(26)

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NHEL

(27)

39.1

NHEL

(28)

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NHEL

(2)

41.2

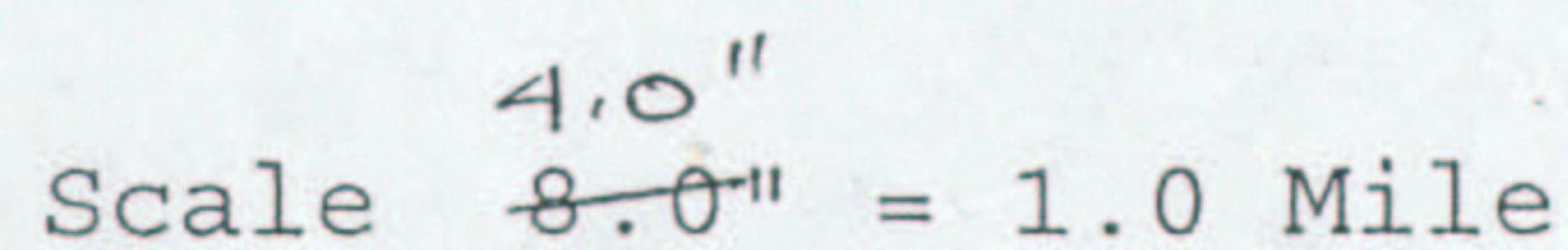
NHEL

(3)

48.2

A31-02303

1987 photo



DATE _____

AGENT _____

12/20/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2303A

NAME AND ADDRESS: ROBERT W ZWEIFEL
STEPHEN VERN ZWEIFEL
546 EAST 2500 NORTH
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 3.03 CFS
700 AFY

PRIORITY DATE: 10/06/1951

POINT OF DIVERSION: T08N R33E S33 NWNWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.03 CFS 700.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R33E S4	LOT 3	NENW	34	T07N R33E S4	LOT 4	NWNW	34
T08N R33E S33		NESW	33	T08N R33E S33		NWSW	33
T08N R33E S33		SWSW	33	T08N R33E S33		SESW	33

200 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

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: A31-02303A
Date Received: 9/13/1999
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STEPHEN VERN ZWEIFEL 208-657-2232
Address: 546 EAST 2500 NORTH
MONTEVIEW ID 83435
OR
Name: ROBERT W ZWEIFEL 208-657-2232
Address: 546 EAST 2500 NORTH
MONTEVIEW ID 83435

2. Date of Priority: OCT 6, 1951

3. Source: GROUNDWATER Trib: to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	33E	33	NW	SW			JEFFERSON

5. Description of diverting works:
WELL/PUMP TO

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	33E	4	NW	NW	4	IRR	28.0

A3102303A



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.0
		5	NE	NE	IRR	40.0
					Section Acres	40.0
08N	33E	33	NE	SW	IRR	33.0
			NW	SW	IRR	33.0
			SW	SW	IRR	33.0
			SE	SW	IRR	33.0
					Section Acres	132.0
					Total Acres	200.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

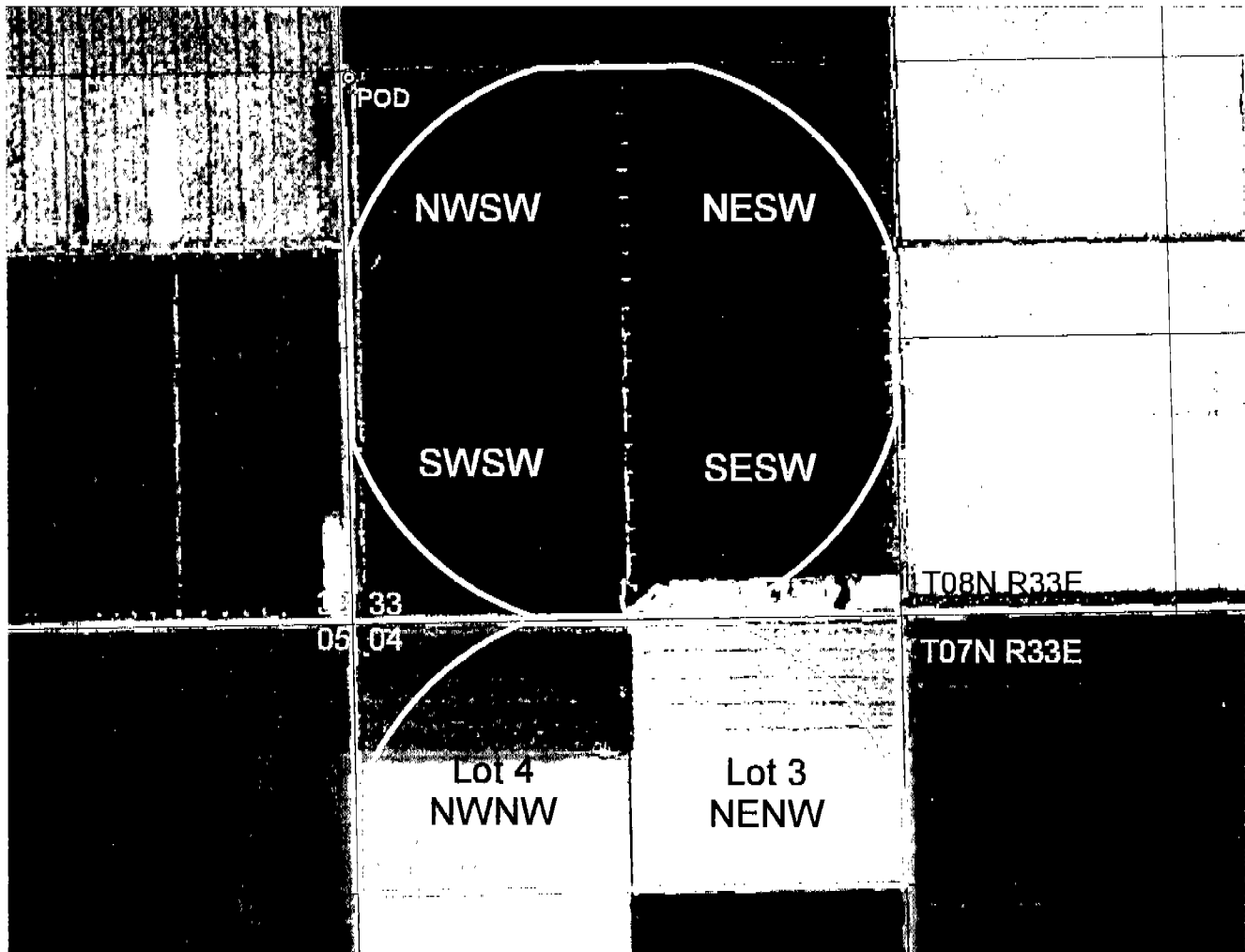
Water Right Number: 22405

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.

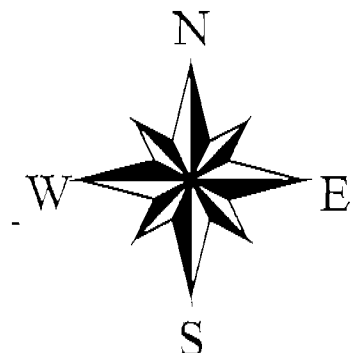
Number of attachments: _____

31-02303A



700 0 700 1400 2100 Feet

T07N R33E S04
T08N R33E S33



Map prepared by: Carter Fritschle
Date prepared: 12-19-00
1987-1988 NAPP photography
Idaho Department of Water Resources

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-02303

LAST: WIENS
ADDRESS: 1285 EAST 9725 SOUTH
CITY: SANDY
PHONE NUMBER: 208-200-0000

FIRST: MARTIN
STATE: UT ZIP: 00000

OWNER CODE: 0

LAST: ZWEIFEL
ADDRESS: 545 EAST 2300 NORTH
CITY: MONTEVIEW
PHONE NUMBER: 208-657-2202

FIRST: STEPHEN VERN
STATE: ID ZIP: 83435

OWNER CODE: 0

LAST: ZWEIFEL
ADDRESS: 545 ~~2300 NORTH~~
CITY: MONTEVIEW
PHONE NUMBER: 208-657-2202

FIRST: ROBERT ~~X~~
STATE: ID ZIP: 83435

OWNER CODE: 0

FIELD EXAM REQUIRED:

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS:

CLAIM REMARKS: CLAIMANT PLAYS TO OBTAIN AN AFFIDAVIT FROM CURRENT OWNER OF THE
LAND SEC 3, T07N, R30E. ALLOWING THE TRANSFER OF THAT PORTION OF
THIS LICENSE(31-2303) OF THIS LAND TO WENS(LOT 4) SEC 4, T07N
R30E.

copy to comments

CONTACT PERSON: None

PHONE NUMBER: () -

DATE OF FIELD EXAM: 10/5/94

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Drive by

A. AJ CLAIM: # A31-02303 PRIORITY DATE: 10-06-1951 STAGE: L
B. WR RECORD: # 31-02303 PRIORITY DATE: 10-06-1951 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)
IF YES EXPLAIN.

NOTES: claimed as licensed

RECOMMENDED PRIORITY DATE:
10-06-1951

REVIEWED BY CA

DATE 10-11-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-02303	03N	33E	33	NW	NW	SW		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX A PREFIX
A31-071928 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-02303	03N	33E	33		NW	SW		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A31-071928 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	N	<u>N</u>

NOTES:

10 acre tract verified by field exam. corresponds with location shown in licensing field exam conducted 7-8-59.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
8N	33E	33	NW	NW	SW	---	Jefferson	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIG:

REVIEWED BY: CA

DATE: 10-11-94

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-01304

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #ACRES	42 #ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	GIS Acres
07N	33E	4	NE	NW	3	ZWEIFEL, STEPHEN VERN	A31-02303 739.0	- 1	57.0	39	39	39
07N	33E	4	NW	NW	4	ZWEIFEL, STEPHEN VERN WILSON, MARTIN	A31-02303 739.0	- 1 31-02303 740.0	40.0	38	38	38
08N	33E	33	NE	SW		ZWEIFEL, STEPHEN VERN	A31-02303 740.0	31-02303 740.0	39.0	40	40	40
08N	33E	33	NE	SW		ZWEIFEL, STEPHEN VERN	A31-02303 740.0	31-02303 740.0	40.0	39	40.0	39
08N	33E	33	SE	SW		ZWEIFEL, STEPHEN VERN	A31-02303 740.0	31-02303 740.0	42.0	38	38	38
08N	33E	33	SE	SW		ZWEIFEL, STEPHEN VERN	A31-02303 740.0	31-02303 740.0	40.0	34	40.0	35
						ZWEIFEL, STEPHEN VERN	A31-10453 1	- 1		34	34	
TOTAL ACRES							A31-02303 239.00	160.00	238.00	230	230	229

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED:

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
Y

POB COUNTY: JEFFERSON

ACRES Total = 229.1

PRESUMPTION FLAG: C

NOTES:

ACRES average appears to be somewhat low. Lot 3 (NENW) is surveyed at 39.33 acres and Lot 4 (NWNW) is surveyed at 39.40 acres. Survey dated 12-18-1899. Accomplished transfer needed to move acreage from the NENE Sec. 5 to the NENW Sec. 4. This apparently occurred prior to 1976. * See licensing field exam for 31-07182. USE GIS ACRES

RECOMMENDATIONS:

TOTAL ACRES: 230 229 CA 5-17-99

REVIEWED BY: CA

DATE: 10-11-94

A. AS CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A51-02303 IRRIGATION	FROM 04-01 TO 11-01	3.640 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.640 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
51-02303 IRRIGATION	FROM TO	3.640 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.640 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARD OR OTHER?

Y(X) N() EXPLAIN IN NOTES, BELOW.

NOTES:

Standard season = 4-1 to 10-31 at 5-17-99

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.640 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.640 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME PDU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME PDU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10433	DOMESTIC	ZWEIFEL, STEPHEN VERN	FROM 01-01 TO 12-31	.040 CFS	
A31-10433	STOCKWATER	ZWEIFEL, STEPHEN VERN	FROM 01-01 TO 12-31	.070 CFS	

D.

4.58

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 230 X 0.02 CFS/ACRE = 4.60 CFS
229 (TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

4.58

3.64 > 4.60

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 575.0 AF/A

ACRES 230 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 575 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 805 AF/A

ACRES 230 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 805 AF/A

801.5

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 ~~11-01~~	DATABASE EXAMINER 5.640 <u>3.64</u>	DATABASE EXAMINER ~~805~~ ~~805~~ 801.5	DATABASE EXAMINER ~~595.3~~ ~~575~~ ~~595.3~~ ~~525~~
TOTAL FOR THIS RIGHT	10-31	3.640 3.64		

REVIEWED BY: CA

DATE: 10-11-94

Flag C
Condition C05
Remarks

CA 5-17-99

EXP F05 => 31-07182B

From Transfer No. 5383

3.03 cfs on 200 acres

200 acres X 3.5 AF/acre = 700 AF

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-02303

TOTAL DIVERSION RATE OF "R" SPLITS

DATABASE
3.640

EXAMINER
3.64

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

31-02303

3.640

-

31-02303

3.640

TOTAL CFS

3.640

3.640

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER
NA

NOTES:

No splits

AUTHENTICATION:

SIGNATURE:

Carver Fritschle

DATE:

5-15-96

NAME OF FIELD EXAMINER:

Carver Fritschle

TITLE:

W.R. Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A51-02503

WR ELEMENT	FIELD CLAIM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			CA 10-5-94	N	6	CA 5-15-96	CA 5-15-96	
POINT OF DIV	Y			N	5			
SOURCE				N	5			
PLACE OF USE				Y	5			
DIV. AMOUNT CFS/VOLUME				Y	5			
CONSUMPTIVE USE	-			Y	5			
PURPOSES				N	5			
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM				N	6			
REMARKS	Y			Y	6			

VERIFIED BY CODES

TOPO MAP/ORTHO-PHOTO = 1
USGS MAP = 2
INTERMASTER RECORDS = 3
AAPP FACTS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

B.C. ~~CHC~~ RR
CA 10-24-94 5-15-96

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2001

ROBERT W ZWEIFEL
STEPHEN VERN ZWEIFEL
546 E 2500 N
TERRETON ID 83450

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 31-02303A and 31-07182C

Dear Claimants:

I have reviewed the Notice of Error you returned for the claim referenced above, and I am unable to make any changes to the recommendation at this time. Transfer No. 5383 established the description of the place of use of these water rights when it was approved in 1999. If you wish to combine the place of use of these water rights into a common permissible place of use for each right, another transfer will be required.

It is not unusual to have water rights described where one water right is for a portion of the land under a center pivot, and another water right is for the remainder of the land under the pivot. The fact that the two water rights cannot be recommended with a common permissible place of use without an additional transfer should not adversely affect the operation of your irrigation practices.

Please contact me at (208) 327-7939 if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

01/25/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-2303A

ROBERT W ZWEIFEL
546 E 2500 N
MONTEVIEW ID 83435
Telephone Number: (208)657-2232

STEPHEN VERN ZWEIFEL
546 E 2500 N
MONTEVIEW ID 83435
Telephone Number: (208)657-2232

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Combine the place of use on these two parcels together

31-2303A plus 31-07182C

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-9-01

SIGNATURE: *Sta. Zweifel*

P?

IDWR

*Transfer 5383 established P.O.U.
in 1999. Cannot change to
P.P.O.U. without an additional
transfer.*

Fritschle, Carter

From: Carlson, Dave
Sent: Monday, September 13, 1999 1:57 PM
To: Fritschle, Carter

HI CARTER,

transfer 5383 changed some of your water rights from basin 31---
31-02303 is 31-02303a and 32-7256(which is my problem)

and 31-07182b is 31-07182c and 32-7259(my problem)

I changed the A side, the R side i will leave for you to clean up!

thanks

dave c

NHEL

(19)

50.6

P.O.D.

39

38

NHEL

(22)

32 33 76.9

5

75.5 NHEL

(2)

101.5 NHEL

(3)

92.4 NHEL

T8N
R33E

#1998
(9363)

T7N
R33E

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(2)

41.2

NHEL

(3)

48.2

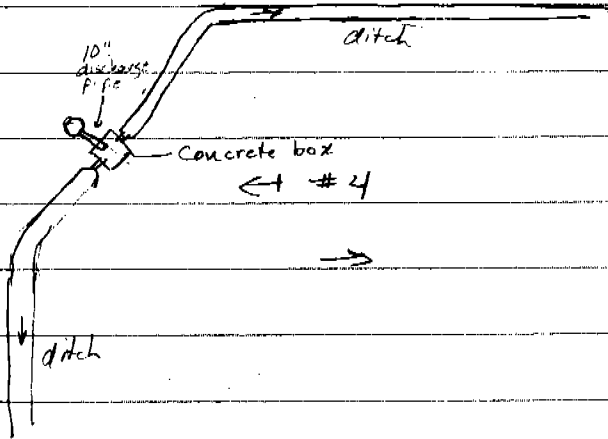
A31-02303
1987 photo

W38
Photo
8-24-80

A31-07182b

A31-02303

10-5-94 CA



200HP GE motor

No. RNJ410026

Wintroath turbine pump (no tag)

Photo #4 looking west from approx. 30' east of
well in NWNWSW Sec. 33 T8N R33E

Flood irrigation (borders)

Claim identification no. A31-02303
A31-07182B



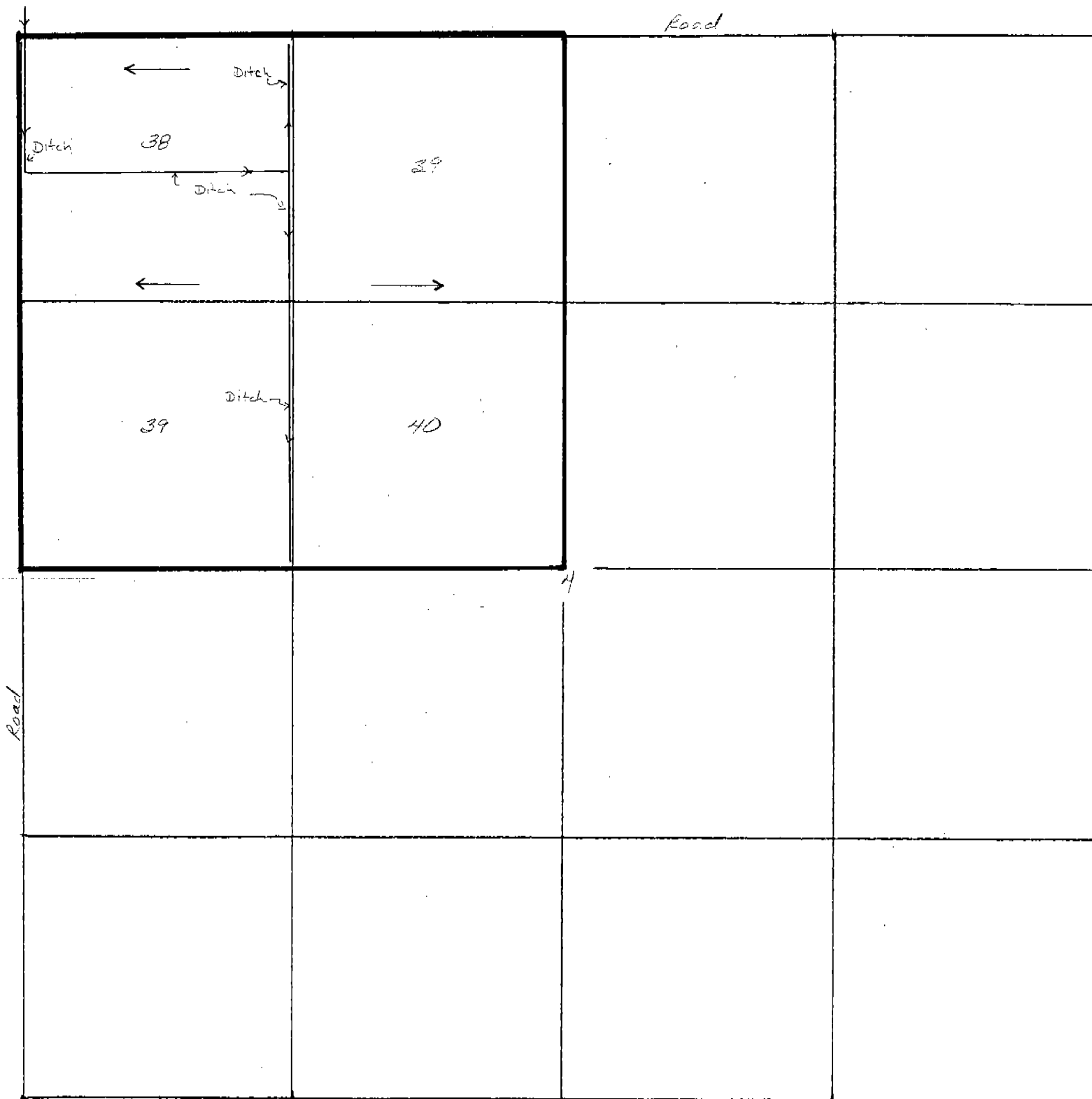
04 10-5-94

looking west from approximately 30 ft. east of well
in NW1/4 SW1/4 Sec. 33, T 31N, R 33E.

A3'-02303



AGENT *Fritschle*

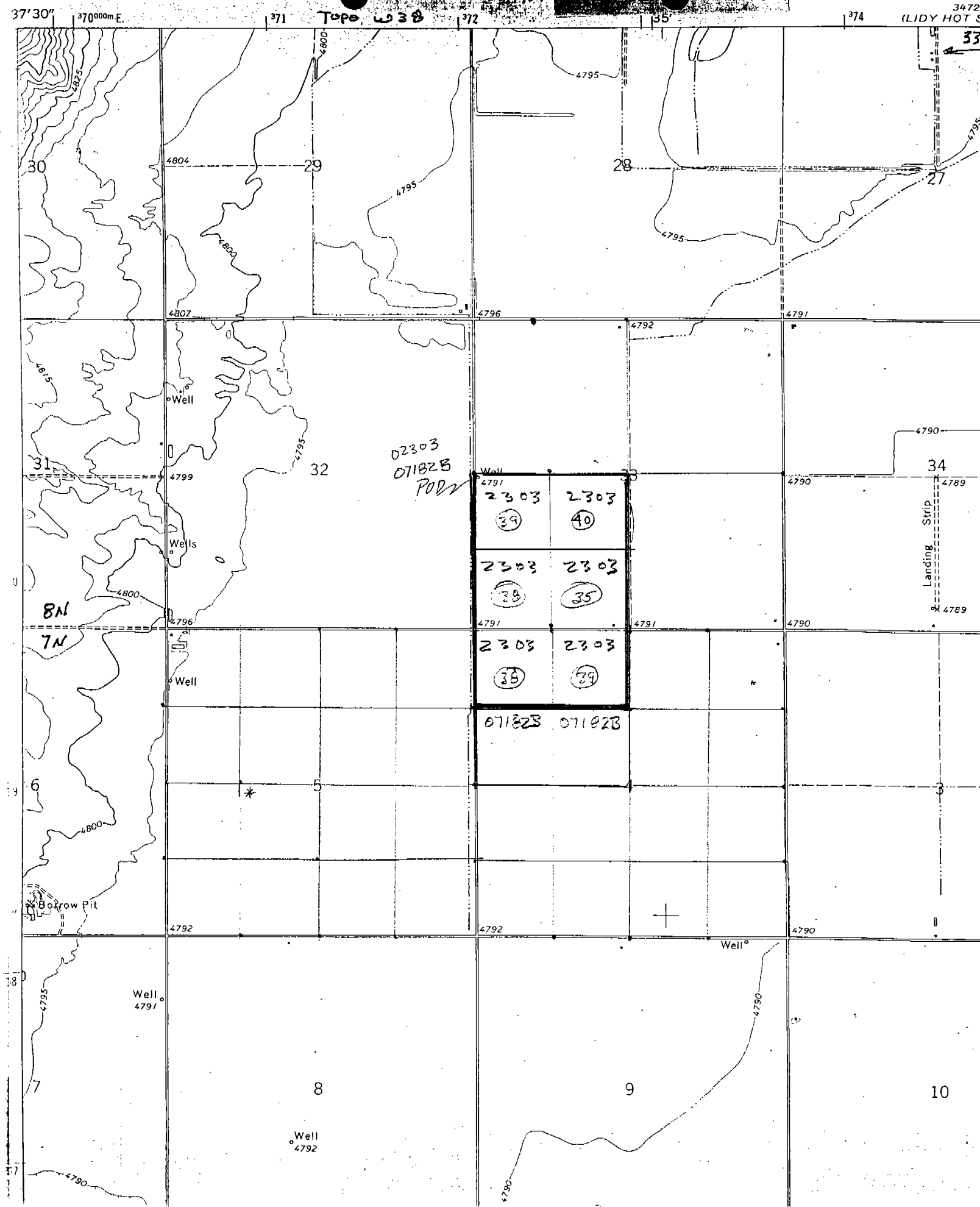


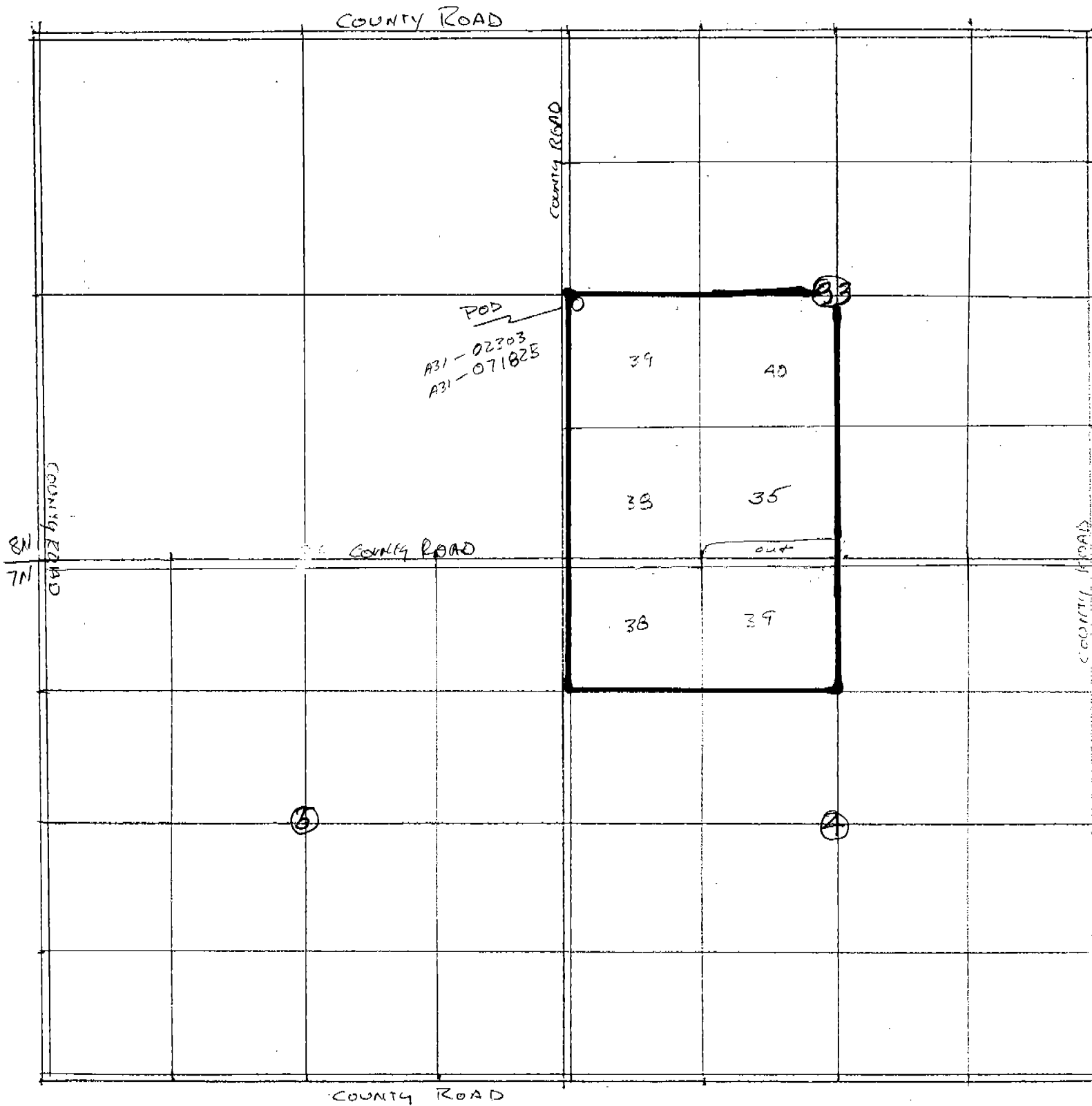
Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 4OPQ MAP # W38 NAPP # W38NWDATE 10-5-94AGENT Fritschle

8N 53E 30A31

33





Scale $\frac{4.0''}{8.0''} = 1.0 \text{ Mile}$

Township 7N E 8N Range 33E Section 35 E-1

DATE _____

OPQ MAP # W38 NAPP # W38NW

AGENT _____

State of Idaho License and Certificate of Water Right

Water License No. G-22405

Amount 3.64 c.f.s.

Water District No.

Priority October 6, 1951

1. Name

Position

THIS IS TO CERTIFY that

MARTIN WIENS

2. Quantity

of Arco, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 6, 1951; that Permit No. G-22405 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.64 second feet, was issued thereunder on August 20, 1959, showing that said works were completed on the 14 day of February, 1959; and that on the 14 day of February, 1959,

3. Source

MARTIN WIENS

4. Location

of Arco, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

5. Water

, a tributary of subterranean flow, for the purpose of irrigation

6. If

, under Use Permit No. G-22405 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6732, on the 20 day of August, 1959;

The right hereby confirmed dates from October 6, 1951;

The Point of Diversion is located

7. Kind

in the NW 1/4 SW 1/4, Sec. 33, Tp. 8 N., R. 33 E., B. M. County Jefferson

8. Estimated

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

9. (a)

not exceed 3.64 cubic feet per second.

(b)

Description and location of use:

10. The

year

11. If a

I.

II.

12. The

13. Existing

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	33 E.	4	NW 1/4 NW 1/4	40	40
		5	NE 1/4 NE 1/4	40	40
8 N.	"	33	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
Total number of acres to be irrigated:					240

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

20 day of August, 1959.

GEO. N. CARTER

State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 3-22405

REPORT ON PROOF OF Completion of Works & Beneficial Use
Martin Wiens
1265 E. 8725 South
Sandy, Utah

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-22405

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Martin Wiens

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 of Section 33

T. 8 N., R. 33 E., S. 33 County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 18" x 265' lift = 255'

150 hp U.S. Motors 10722138

Twinwater Turbine 67340

10' x 8' delivery to East Open pool - ditches - gravity

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4 Section 33, Twp. 8 N., Rge. 33 E.B.M.

NE 1/4 Sec. 5; NW 1/4 Sec. 4, Twp. 7 N., Rge. 33 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Pump is surging considerably.

Renter Merlin Wedemuth along

This examination was made on the 8 day of July, 1939

(Signed) E. N. Humphrey

Examiner.

G-22405

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 14 1959
Department of Reclamation

Martin Wiens
1265 E. 8725 South
Sandy, Utah
Permit No. G-22405

Examination for Completion of Works &
Beneficial Use Proof

County Jefferson

33-8N-33E

Q. 4.8 a. p. s.

S = Well. Merlin Wadsworth

P.L. = NW. 1/4, Sec. 33, T. 8N. - R. 33E

Use = Irrigation

500 in 1st 2500 195 232

500 in 1st 195 195"

500 in 1st = 182"

Filed = Oct. 6, 1951

Done = Feb. 15, 1959 (E. et.)

no other right

240x10" Col. h=255-

18" x 26.5" Stage 15"

150 hp U.S. motor

107 2.138

Wintroath 62745

10' x 8' del. 3 1/2

Open pool - quantity

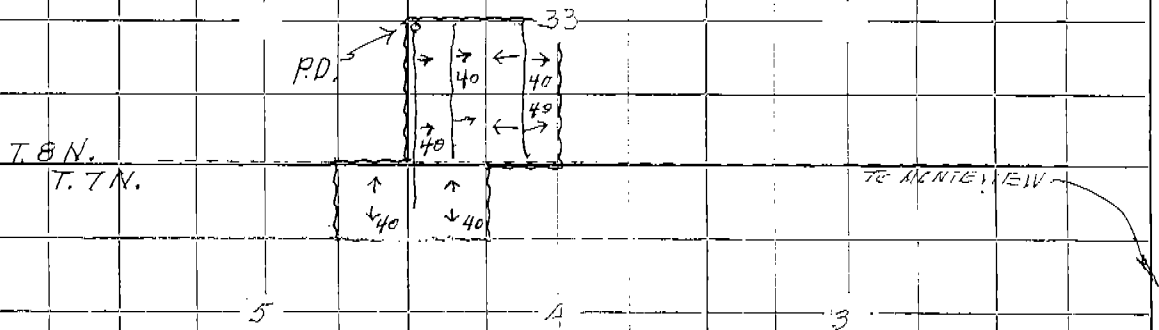
Cone base 6' x 6'

G.E. 4 1/2 in. bulb

Panels on post 4 to N.

78

R-33E.



Subdivisions 3 6

Area = 240 a.

Q = 182" 3.64 cfs.

31-2303

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30142
Permit No. G- 22405
District No.

1. Name of Applicant: **MARTIN WIENS**
Postoffice address: **Arco** County: **Butte** State: **Idaho**
25 E. - 20th St. Arco, Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **4.8** or Idaho
Miners' inches **240** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean, to be raised through a drilled well**
4. Location of point of diversion or well is in the **SE** $\frac{1}{4}$ of the **SW** $\frac{1}{4}$ of Section **33**
Twp. 8 N., Rge. **33 E.**, B.M., County of **Jefferson**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Drilled well, to be cased and equipped with turbine type pump**
8. Estimated cost of works: **\$5,000.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Five(5)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(cubic feet per second, inches or gallons per minute) is for new lands.

This application is for water to be used in the irrigation of vacant federal land now held under desert land app as filed in the Idaho Land Survey office, at Boise, Idaho. The irrigation and agricultural development of th
Remarks: will providefor the benefic use of the water.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

MARTIN WIENS Applicant.

By Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 11:15 A. M. October 6, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22405

Recorded in Book 80 Page 22405 Approved October 10, 1951

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before December 10, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 10, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 10, 1954

Witness my hand this 10th day of October, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, EDSON H. DEAL, Acting, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of October, 1951.

Countersigned:

STATE OF IDAHO

(SEAL)

IFS H. MASTERS

By EDSON H. DEAL

By

Acting Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 N.	33 E.	33									40	40	40	40					160
7 N.	33 E.	5	40																40
		4					40												40
Total Number of Acres to be Irrigated																			240

WHEREAS, Permit No. G-22405, in the name of Martin Wiens, requires proofs of Completion of Works and Beneficial Use to be made on or before October 10, 1956; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial # 02384; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until February 15, 1954;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-22405 to February 15, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and consitions of Permit No. G-22405.

Signed at Boise, Idaho, this 24th day of January, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer

Recorded in the Department of Reclamation
January 25, 1957.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. G-22405 Under the)
Provisions of Section 5594, Idaho)
Compiled Statutes.)
-----)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. G-22405 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: October 10, 1956; and,

WHEREAS, on the 7th day of January, 1957, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 16th day of January 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were reasonably advanced, and;

WHEREAS, this Application being made in connection with a Desert-Land Entry an Extension of Time is allowed to February 15, 1959, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. G-22405 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 7th day of March, 1957.

(SEAL)

/s/ Mark R. Kulp
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22405

Comes now Martin Wiens and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-22405. That the point of diversion is described in said permit as being located SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T 8 N - R 33 E. That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T 8 N - R 33 E. That his reasons for desiring to make such change are as follows: This is a better well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Montevideo, Idaho, this 14th day of December, 1958

/s/ Martin Wiens

Date of receipt at Department of Reclamation
December 31, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22405. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Geo. N. Carter
State Reclamation Engineer

Recorded: January 7, 1959.

Permit No. G-22405
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARTIN WIENS of Arco, County of Butte, and State of Idaho, the holder of Permit No. G-22405, issued upon Application No. 30142 bearing date of priority of October 6, 1951, authorizing the diversion of 4.8 second feet of the waters of a well, County of Jefferson, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.64 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 8 N., R. 33 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

240 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 7 N., R. 33 E., SW $\frac{1}{4}$, Sec. 33, T. 8 N., R. 33 E., B. M.

Witness my hand this 20th day of August, A. D. 1959.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: February 14, 1959

RECEIVED

DEC 20 2000

Department of Water Resources

MEMORANDUM

TO: Carter Fritschle

From: Keith C. Wilson

RE: Place of use SW $\frac{1}{4}$ Sec 33, T08N, R33E & NW $\frac{1}{4}$ Sec 4, T07N, R33E

I have attached a copy of the map from transfer 5383 showing what the POU is supposed to look like after the transfer. Mr. Zweifel felt that License 31-02303 should have been for the SW $\frac{1}{4}$ Sec 33, T08N, and the N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 4, T07N, R33E., not the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 5. Since he did not own the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 5, and the owners did not want to let the right go he took the acres he needed from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4 leaving only 28 acres and there is no water right for the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4.

Hope that this answers your question.

Keith

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3 <<PAGE #2 of 2>>

Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

