

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 326

MAR 02, 1979

INDICATES TOTAL

SOURCE: GROUNDWATER

*INDICATE

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT	RIGHT NUMBER
65-8771	PANCHERI, DUANE ROUTE 1, BOX 48, MELBA, IDAHO 83641	6/ 1/1948	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	SENE S15 T16N R 3E	SENE S15 T16N R 3E	BENEFICIAL USE	65-2495
			STOCKWATER	1/ 1 12/31	5.40 AFA .08 CFS *7.80*AFA *.08*CFS		SAME AS OTHER USE		GAR GAR ROU IDA REM SUB
65-11183	PETROSS, COY JOE & PETROSS, ALLYN ROUTE 1, BOX 70, FRUITLAND, IDAHO 83619 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11182 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA FOR DOMESTIC USE.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S27 T 8N R 5W	NESW S27 T 8N R 5W	BENEFICIAL USE	55-0875
									55-3991
65-8585	SMITH JR., GORDON C. 2023 CRYSTAL WAY, BOISE, IDAHO 83706	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S 5 T18N R 3E	LOT3 S 5 T18N R 3E	BENEFICIAL USE	5-1461
65-4208	SURBER, WILLIAM I. BOX 583, MC CALL, IDAHO 83638 REMARKS: SOURCE IS TWO WELLS.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S16 T18N R 3E	SWSE S16 T18N R 3E	BENEFICIAL USE	5-8115
65-0513	WEILMUNSTER, DON K. ROUTE 2, PARMA, IDAHO 83660	6/ 1/1948	STOCKWATER	1/ 1 12/31	6.70 AFA .02 CFS	SESE S33 T 7N R 4W	SESE S33 T 7N R 4W	BENEFICIAL USE	5-11245
65-11129	WOOD, OSCAR R. & WOOD, MYRTLE F. ROUTE 1, BOX 103, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11128 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S 8 T 8N R 5W	LOT1 S 8 T 8N R 5W	BENEFICIAL USE	5-5895
65-6991	STONE, LEON 820 PICCADILLY CIRCLE, SACRAMENTO, CALIFORNIA 95825 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10243 & 65-2905 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 4/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENW S17 T16N R 3E	SAME AS OTHER USE	BENEFICIAL USE	5-5324
			IRRIGATION	4/15 10/15	--- AFA .26 CFS		NENW(13) S17 T16N R 3E *13*		5-1761
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *---*AFA *.32*CFS		SAME AS OTHER USE		MEDLEY MEDLEY P. O. 83617

SEP 15 1992

MICROFILMED

65-0513
Claim No.

COMMENDED RIGHT

Wesley S. Cruickshank
Montour, Idaho 83646

- 4/1/
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1948
- (2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) subterranean
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- Quantity ~~XXXXXXX~~ ⁰⁴ Use stock water Period of Use From 1/1 To 12/31
(CFS GPD AFD) (Domestic, irrigation, stock, etc.) (Mon. Days) (Both Dates Inclusive)
- Quantity Use Period of Use From To
(CFS GPD AFD) (Domestic, irrigation, stock, etc.) (Mon. Days) (Both Dates Inclusive)
- Quantity Use Period of Use From To
(CFS GPD AFD) ⁰⁴ (Domestic, irrigation, stock, etc.) (Mon. Days) (Both Dates Inclusive)
- (4) ~~XXXXXXXXXX~~ ⁰⁴ TOTAL QUANTITY CLAIMED. 6.6 gallons per minute
(CFS GPD AFD)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 SW 1/4
Sec. 33 Twp. 7N Rge. 4W B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. well and pump with 10,000 gallon storage tank and 500 gallon stock tank
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
7N	4W	33							X						
BLM TRACT															

- Total No. of acres
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water for beef cattle
- (7) Effluent, sewage waste, or return water from this use is discharged into: none
- (8) If you are claiming water as a member of an organization, list name of organization: none
- (9) Remarks
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case
☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration.

DATE OF EXAM 8/5/74 FIELD EXAMINER JJJ

MICROFILMED
SEP 15 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

PAYETTE NO. 83660

Notice is hereby given that Wesley S. Cruickshank Don K. Wiedmeyer

Montour, Idaho 83646 Parma Id RT 2

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6/1/1948

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) subterranean G.W.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

Use stock water Period of Use From Jan. 1 To Dec. 31

Use stock water Period of Use From Jan. 1 To Dec. 31

Use stock water Period of Use From Jan. 1 To Dec. 31

(4) Quantity of water claimed: 0.2 Cubic Feet Per Second, or 6.6 Acre Feet Per Annum, and/or 6.6 Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4

Sec. 33, Twp. 7 N, Rge. 4 W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible. well and pump with 10,000 gallon stock tank storage tank and 500 gallon stock tank

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7</u>	<u>N</u>	<u>4</u>	<u>W</u>	<u>33</u>															<u>8</u>

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water

500 head for beef cattle

(7) Effluent, sewage waste, or return water from this use is discharged into none

(8) If you are claiming water as a member of an organization, list name of organization none

(9) Remarks

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 10, 1970

Individual Wesley S. Cruickshank

Organization Don K. Wiedmeyer

Organization Don K. Wiedmeyer

Organization Don K. Wiedmeyer

State of Idaho

County of Ada

On this 10th day of July, in the year 1970

a notary public, personally appeared Wesley S. Cruickshank and Minnie E. Cruickshank

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or

Notary Public residing at Boise, Idaho

My commission expires 8/12/70

9/12/77

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SEP 15 1992

512 | 210 000 FEET

Geological Survey

$^{513}w_4$

1965/1975 ⁵¹⁴ TOPO

(PARMA SE)
2671 IV SE

T7N R4²¹⁶ S33

47'30" CALDWELL 16 MI.
BOISE 43 MI.

14 Ml

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-8771	PANCHERI, DUANE ROUTE 1, BOX 48, MELBA, IDAHO 83641	6/ 1/1948	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	SENE S15 T16N R 3E	SENE S15 T16N R 3E	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	5.40 AFA .08 CFS *7.80*AFA *.08*CFS		SAME AS OTHER USE	
65-11183	PETROSS, COY JOE & PETROSS, ALLYN ROUTE 1, BOX 70, FRUITLAND, IDAHO 83619 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11182 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA FOR DOMESTIC USE.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S27 T 8N R 5W	NESW S27 T 8N R 5W	BENEFICIAL USE
65-8585	SMITH JR., GORDON C. 2023 CRYSTAL WAY, BOISE, IDAHO 83706	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S 5 T18N R 3E	LOT3 S 5 T18N R 3E	BENEFICIAL USE
65-4208	SURBER, WILLIAM I. BOX 583, MC CALL, IDAHO 83638 REMARKS: SOURCE IS TWO WELLS.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S16 T18N R 3E	SWSE S16 T18N R 3E	BENEFICIAL USE
65-0513	WEILMUNSTER, DON K. ROUTE 2, PARMA, IDAHO 83660	6/ 1/1948	STOCKWATER	1/ 1 12/31	6.70 AFA .02 CFS	SESE S33 T 7N R 4W	SESE S33 T 7N R 4W	BENEFICIAL USE
65-11129	WOOD, OSCAR R. & WOOD, MYRTLE F. ROUTE 1, BOX 103, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11128 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S 8 T 8N R 5W	LOT1 S 8 T 8N R 5W	BENEFICIAL USE
65-6991	STONE, LEON 820 PICCADILLY CIRCLE, SACRAMENTO, CALIFORNIA 95825 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10243 & 65-2905 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 4/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENW S17 T16N R 3E	SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION	4/15 10/15	--- AFA .26 CFS		NENW(13) S17 T16N R 3E *13*	
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *---*AFA *.32*CFS		SAME AS OTHER USE	

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: A65-00513
Date Received: 2/13/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON K. WEILMUNSTER 208-462-3777
Address: P.O. BOX 4
GARDEN VALLEY, ID 83622

2. Date of Priority: JUN 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	04W	33	SE	SE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		6.70

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 6.70 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	04W	33	SE	SE		STOCK	

11. Place of use in counties: PAYETTE

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

A65-00513

Page 1

Date: 04/17/90

MICROFILMED

SEP 15 1992

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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: _____

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 _____

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: A65-00513
Date Received: 2/13/1990
Receipt No: X999999
Received By: OK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON K. WEILMUNSTER 208-462-3777
Address: P.O. BOX 4
GARDEN VALLEY, ID 83622
2. Date of Priority: JUN 01, 1948
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07N | 04W | 33 | SE | SE | | | PAYETTE |
5. Description of diverting works:
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020 | | 6.70 |
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 6.70 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 | 04W | 33 | SE | SE | | STOCK | |
11. Place of use in counties: PAYETTE
12. Do you own the property listed above as place of use? YES

A65-00513

Page 1

Date: 02/13/90

MICROFILMED

SEP 15 1992

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Don Submitt* Date: 2-13 1990

Date:

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 13th day

of Feb 1990

Donna E. Cully
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 11/08/1994

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

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INDICATES TOTAL

SOURCE: GROUNDWATER

*INDICATE

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									JON JON BOX
									65-3991
									WEA P.O. 8366 REM/ SOU
65-8585	SMITH JR., GORDON C. 2023 CRYSTAL WAY, BOISE, IDAHO 83706	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S 5 T18N R 3E	LOT3 S 5 T18N R 3E	BENEFICIAL USE	65-1461
									KREI KREI ROUT 8361
65-4208	SURDER, WILLIAM I. BOX 583, MC CALL, IDAHO 83638 REMARKS: SOURCE IS TWO WELLS.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S16 T18N R 3E	SWSE S16 T18N R 3E	BENEFICIAL USE	65-8115
									HALO P.O. 8361
65-0513	WEILMUNSTER, DON K. ROUTE 2, PARMA, IDAHO 83660	6/ 1/1948	STOCKWATER	1/ 1 12/31	4.70 AFA	SESE S33 T18N R 3E	SESE S33 T18N R 3E	BENEFICIAL USE	65-11245
									SMITH SMITH ROUT 83702
65-11129	WOOD, OSCAR R. & WOOD, MYRTLE F. ROUTE 1, BOX 103, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11128 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S 8 T 8N R 5W	LOT1 S 8 T 8N R 5W	BENEFICIAL USE	65-5895
									VAN L ROUTE IDAHO
									65-5324
									SCHOEI SCHOEI ROUTE IDAHO
65-6991	STONE, LEON 820 PICCADILLY CIRCLE, SACRAMENTO, CALIFORNIA 95825 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10243 AND 65-2905 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 4/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENW S17 T16N R 3E	SAME AS OTHER USE	BENEFICIAL USE	65-1761
			IRRIGATION	4/15 10/15	--- AFA .26 CFS		NENW(13) S17 T16N R 3E *13*		MEDLEY MEDLEY P. O. 83617
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *---AFA *.32*CFS		SAME AS OTHER USE		

SEP 15 1992

MICROFILMED

Claim No.

Wesley S. Cruickshank
Montour, Idaho 83646

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1948

(2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) subterranean

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	<u>0000000000</u>	Use	<u>stock water</u>	Period of Use From	<u>1/1</u>	To	<u>12/31</u>
(CFS, GPD, AFD)					(Mo., Day)		(Mo., Day)
						(Both Dates Inclusive)	
Quantity		Use		Period of Use From		To	
(CFS, GPD, AFD)					(Mo., Day)		(Mo., Day)
						(Both Dates Inclusive)	
Quantity		Use		Period of Use From		To	
(CFS, GPD, AFD)					(Mo., Day)		(Mo., Day)
						(Both Dates Inclusive)	

(4) 0000000000 TOTAL QUANTITY CLAIMED. 6.6 gallons per minute

(CFS, GPD, AFD)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 4 SW 4.

Sec. 33, Twp. 7N, Rge. 4W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible well and pump with 10,000 gallon storage tank and 500 gallon stock tank

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres.

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water for beef cattle

(7) Effluent, sewage waste, or return water from this use is discharged into none

(8) If you are claiming water as a member of an organization, list name of organization none

(9) Remarks 1

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration.

2. OF EXAM

FIELD EXAMINER

MICROFILMED

SEP 15 1992

4-17-90

AG5-00513, 00514 &

00515

Tim & Tina Shaw of
Tim Shaw Nurseries

Above claims were filed on
by Don Wulmschlaeger - who
does not own property
Property owned by the
Shaws. I have asked
the Shaws to obtain a
claim withdrawn from
Wulmschlaeger & return
forms to me w/ dupe & cover
letter. If not - Shaws
will file on the above
nos. & I will apbl to
A.

Also - diversion listed
wrong in 513. Should be
SwSW as there is no water
SE SE

MICROFILMED

SEP 15 1992

03/09/2001

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: April 13, 2001

Water right number: 65-513

DON K WEILMUNSTER

PO BOX 4

GARDEN VALLEY ID 83622

Telephone Number: (208)462-3777

RECEIVED

APR 09 2001

WATER RESOURCES
WESTERN REGION

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

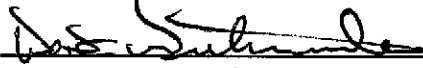
2. Describe the changes you wish to make in the proposed recommendation:

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: 4/5/01

SIGNATURE:



Please print your name: DON K. WEILMUNSTER

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

03/09/2001

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

RIGHT NUMBER: 65-513
NAME AND ADDRESS: DON K WEILMUNSTER
PO BOX 4
GARDEN VALLEY ID 83622

RECEIVED

APR 09 2001

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
6.70 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1948

POINT OF DIVERSION:

T07N R04W S33 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS 6.70 AFY

PLACE OF USE:

STOCKWATER Within PAYETTE County
T07N R04W S33 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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 - Decreed

PARCEL NO. 802-1
STOCKWATER, 500 RANGE CATTLE

01/25/2001

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

RIGHT NUMBER: 65-513
NAME AND ADDRESS: DON K WEILMUNSTER
PO BOX 4
GARDEN VALLEY, ID 83622

SOURCE: GROUND WATER

QUANTITY: 0.02 CFS
6.7 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1948

POINT OF DIVERSION: T07N R04W S33 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS
		6.70 AFY

PLACE OF USE: STOCKWATER Within PAYETTE County
T07N R04W S33 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - Decreed

PARCEL NO. 802-1
STOCKWATER, 500 RANGE CATTLE

AJ5809NP
No. A65-00513

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON K WEILMUNSTER PO BOX 4 GARDEN VALLEY ID 83622 (208) 462-3777	06/01/1948	STOCKWATER	01-01 12-31	0.020 CFS	6.70 AFA
TOTAL DIVERSION:					0.020 CFS	6.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R04W S33 SESE

PAYETTE County

Place of use Legal Description for: STOCKWATER

NE								NW								SW								SE							
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
07N	04W	33	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:			

POU County: PAYETTE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag: Y
Presumption Flag:

PER
PAYETTE
ASSESSORS 1/25/01

- PARCEL NO. 802-1 SESE⁴
- WAS OWNED BY WEILMUNSTER AS CLAIMED
 - SOLD TO SHAW LATER
 - SHAW IS IN PROCESS OF SELLING TO DAVIDSON

Exp 7mk. Stockwater, 500 RANGE CATTLE

W11
N13
C18

DISPUTE:
THE QUESTION WAS
Should this have been
claimed for the SW SW
TRACT? PROBABLY NOT.
THE SW SW TRACT
BELONGS TO BLM.
PER PAYETTE City Assessor.

(IF it was decreed wrong
however, accomplished transfer
could be CONSIDERED now
IF notice of error is
RECEIVED.

SPECIAL POWER OF ATTORNEY

RECEIVED

JAN 09 2001

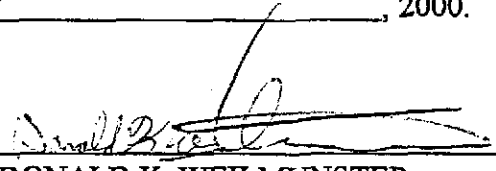
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
(ss.
County of Valley)

KNOW ALL MEN by these presents, that I, Donald K. Weilmunster, of P.O. Box 4, Garden Valley, Idaho 83622, do hereby make, constitute and appoint STEVEN J. MILLEMANN and/or BRIAN L. McMAHAN, of the law firm of Millemann, Pittenger & McMahan, LLP, P.O. Box 1066, City of McCall, County of Valley, State of Idaho, 83638, as my true and lawful attorneys-in-fact, for me, and in my name, place and stead. The Powers granted to the above-named persons are LIMITED to the following:

1. Preparing, executing and filing all documents advisable or required by the Idaho Department of Water Resources and/or the Snake River Basin Adjudication Court to establish, protect, administer and manage water rights on my Idaho properties.
2. The rights, powers and authority of said attorneys-in-fact shall not be terminated until revoked by me in writing.

DATED this 29 day of Nov, 2000.

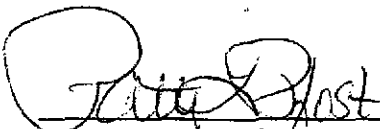

DONALD K. WEILMUNSTER

STATE OF IDAHO,)
(ss.
County of Valley)

On this 29 day of November, 2000, before me, Patti L. Pfost, a Notary Public in and for said State, personally appeared DONALD K. WEILMUNSTER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




NOTARY PUBLIC FOR IDAHO

Residing at: McCall, Idaho

My Commission Expires: 2/22/2004

SPECIAL POWER OF ATTORNEY

MILLEMANN, PITTENGER & McMAHAN, LLP
ATTORNEYS AT LAW

706 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

RECEIVED

JAN 09 2001

WATER RESOURCES
WESTERN REGION

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON

TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516
E-MAIL mpm@micron.net

January 8, 2001

Idaho Department of Water Resources
Western Region
Attn: Denise Buffington or Lori Harris
2735 Airport Way
Boise, ID 83705

Re: Donald K. Weilmunster

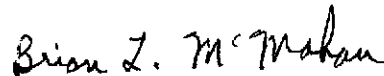
Dear Denise and/or Lori:

Attached to this cover letter is a Special Power of Attorney. Under it, Donald K. Weilmunster gives a power of attorney to Steven J. Millemann and/or Brian L. McMahan, and the powers given are for all water matters, e.g., for SRBA claims, licenses, permits, and so forth.

Please file this Special Power of Attorney in your permanent records. A copy of the document is also enclosed. Will you please conform that copy and return it to us in the self-addressed stamped envelope which is provided for your convenience?

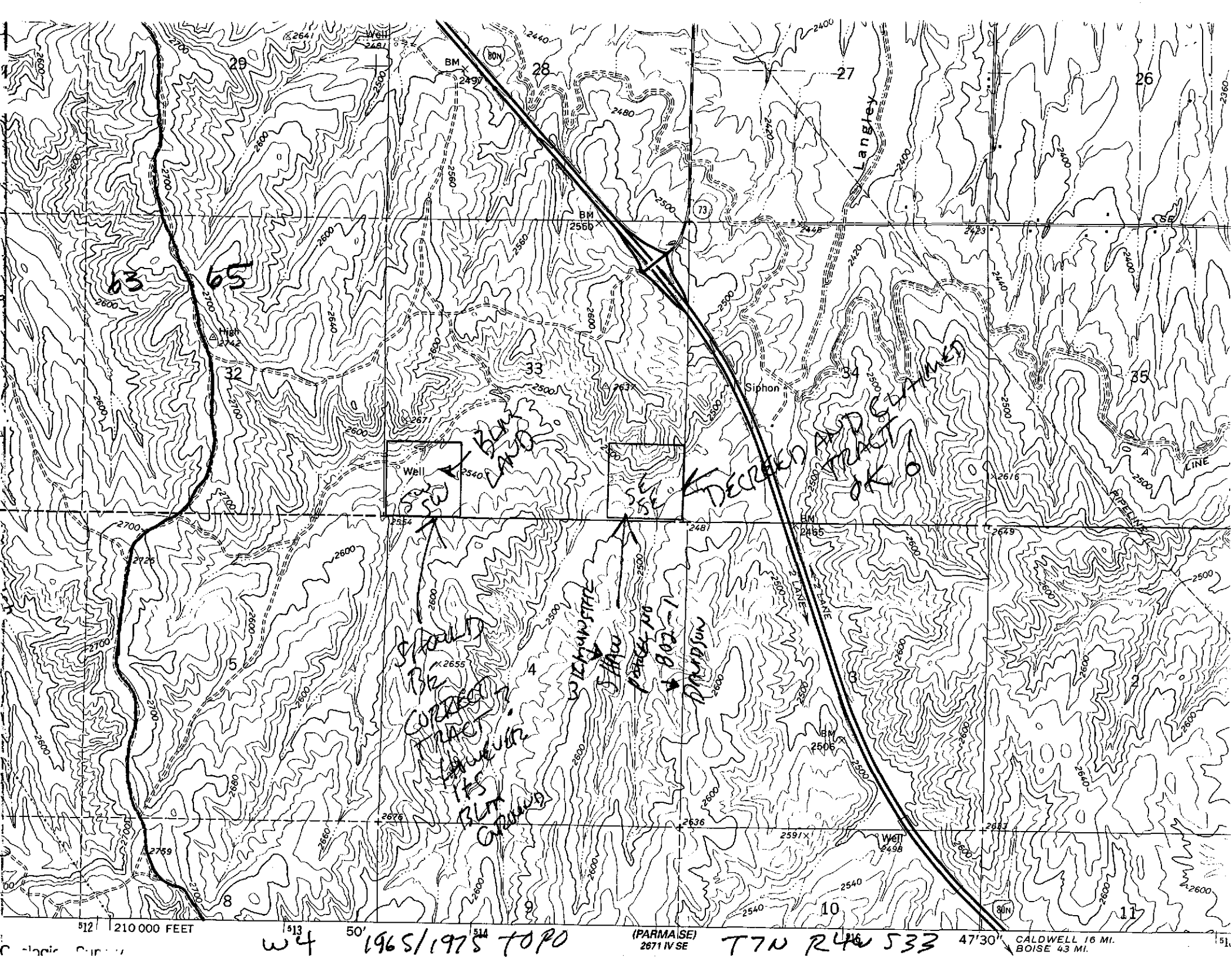
I have discussed this Special Power of Attorney with Dan Nelson; accordingly, if you have any questions regarding it, please contact him, and/or please feel free to contact me. Thank you.

Sincerely,



BRIAN L. McMAHAN

BLM/plp
Enc.
cc: Client



512 210 000 FEET

6-17000 6-18000

W⁵¹³4

W4⁵¹³ 50' 1965/1975⁵¹⁴ TOPO

(PARMA SE)
2671 IV SE

T7N R4¹⁶ S33

47'30" CALDWELL 16 MI.
BOISE 43 MI.

5

WR5809NP
No. 65-00513

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/05/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON K. WEILMUNSTER ROUTE 2 PARMA ID 83660	06/01/1948	STOCKWATER	01/01 12/31	0.020 CFS	6.70 AFA
TOTAL DIVERSION:					0.020 CFS	6.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R04W S33

SESE

PAYETTE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
07N 04W 33	:		:		:		:		:		:		:		:	

Pou County: PAYETTE

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date:

Priority Date: 06/01/1948
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65 Field Exam Fee:

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-8771	PANCHERI, DUANE ROUTE 1, BOX 48, MELBA, IDAHO 83641	6/ 1/1948	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	SENE S15 T16N R 3E	SENE S15 T16N R 3E	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	5.40 AFA .08 CFS *7.80*AFA +.08*CFS		SAME AS OTHER USE	
65-11183	PETROSS, COY JOE & PETROSS, ALLYN ROUTE 1, BOX 70, FRUITLAND, IDAHO 83619 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11182 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA FOR DOMESTIC USE.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S27 T 8N R 5W	NESW S27 T 8N R 5W	BENEFICIAL USE
65-8585	SMITH JR., GORDON C. 2023 CRYSTAL WAY, BOISE, IDAHO 83706	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S 5 T18N R 3E	LOT3 S 5 T18N R 3E	BENEFICIAL USE
65-4208	SURBER, WILLIAM I. BOX 583, MC CALL, IDAHO 83638 REMARKS: SOURCE IS TWO WELLS.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S16 T18N R 3E	SWSE S16 T18N R 3E	BENEFICIAL USE
	ROUTE 2, PARMA, IDAHO 83608	6/ 1/1948	STOCKWATER	1/ 1 12/31	6.70 AFA .02 CFS	SESE S38 T 7N R 4W	SESE S38 T 7N R 4W	BENEFICIAL USE
65-11129	WOOD, OSCAR R. & WOOD, MYRTLE F. ROUTE 1, BOX 103, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11128 SHALL PROVIDE NO MORE THAN .04 CFS NOR 1.2 AFA.	6/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S 8 T 8N R 5W	LOT1 S 8 T 8N R 5W	BENEFICIAL USE
65-6991	STONE, LEON 820 PICCADILLY CIRCLE, SACRAMENTO, CALIFORNIA 95825 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10243 & 65-2905 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 4/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENW S17 T16N R 3E	SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION	4/15 10/15	--- AFA .26 CFS		NENW(13) S17 T16N R 3E *13*	
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *---*AFA *.32*CFS		SAME AS OTHER USE	

Don K Weilmunster
PO box 4
Garden Valley ID 83622

5-2-2000

Dear Mr. Weilmunster:

I am in the process of reviewing claims in the Payette River Valley for recommendation to the Snake River Basin adjudication court. When reviewing your claim # 65-00513 I found a note that disputes the place of use. I believe there may have been a typo on the place of use. It looks like the Shaw's own the place of use listed on this claim. Could you please review your records and compare them to the enclosed copy of your claim. Please send any correction to me at The Western Regional Office as soon as you can. Thank you for your help.

Sincerely,

Scott D. Van Hoff
Sr. Water Resources Agent