

No Color

Documents

In File

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: A65-04128
Date Received: 2/05/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. ROBERT WILLS
Address: 3979 WILLS ROAD
EMMETT, ID 83617

Name: CECILIA K. WILLS
Address: 3979 WILLS ROAD
EMMETT, ID 83617

2. Date of Priority: JUL 06, 1926

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	20	NE	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.090		1.00

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) 2.20 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
06N	01W	20	NE	SW		DOMEST	
	02W	25	SE	NW		COMMER	
			NE	SW		COMMER	
			NW	SE		COMMER	

11. Place of use in counties: GEM

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

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. No. *A65-04128*

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

RECEIVED
FEB 5 1990

Please type or print clearly:

Department of Water Resources

Name of Claimant(s) *F. Robert Wills*

Mailing Address
(include Zip Code) _____

Phone Number () _____

MICROFILMED
SEP 22 1992

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: 65-04128

DATE RECEIVED: 2-5-90

RECEIPT NO: X999999

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ROBERT F. WILLS
ADDRESS: 3979 WILLS ROAD
EMMETT, ID

83617

NAME: CECILIA K. WILLS
ADDRESS: 3979 WILLS ROAD
EMMETT, ID

83617

RECEIVED
FEB 5 1990

Department of Water Resources

2. DATE OF PRIORITY: JUL 06, 1926

3. SOURCE: GROUNDWATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	20	NE	SW			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.090		1.00

7. TOTAL QUANTITY APPROPRIATED IS:
0.110 C.F.S. (AND/OR)

2.20 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
06N	01W	20	NE		SW		DOMEST	
	02W	25	SE		NW		COMMER	
			NE		SW		COMMER	
			NW		SE		COMMER	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS 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): Cecilia R. Wilks DATE: 1-25-90
J. Keith Wilks DATE: 1-25-90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Gem) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 25th DAY
OF January 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Emmett

MY COMMISSION EXPIRES 4-15-94
DATE: 10/28/89 5834

65-04128

PAGE 3

MICROFILMED

SEP 22 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Wills

CLAIM IDENT. NO.

AUS-01128

DATE RECEIVED 2-5-90

CK #

AMOUNT \$ exempt

YES

NO

Required Info?

1. Is the name and address complete with zip code? "O" code - Cecilia ☒ ☐ *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: Rat

Date: 5-11-90

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by: DWA

Sent to claimant by: JH

Date:

Date: 5-15-90

Date: 5-24-90

Checked by:

Date:

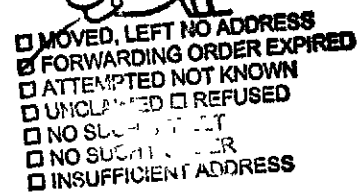
MICROFILMED

Comments:

SEP 22 1992

3

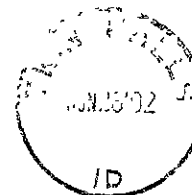
65-4128



RECEIVED

JUL - 5 2002

Department of Water Resources



RECEIVED

JUL 09 2002

**WATER RESOURCES
WESTERN REGION**

NAME AND ADDRESS:

CBCILIA K WILLS
F ROBERT WILLS
3979 WILLS RD
EMMETT, ID 83611

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I R.C.P. 54(b) FOR
Water Right 65-04128

NAME AND ADDRESS: CECILIA K WILLS
F ROBERT WILLS
3979 WILLS RD
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY 0.11 CFS
2.20 AFY

PRIORITY DATE. 07/06/1926

POINT OF DIVERSION: T06N R01W S20 NESW Within Gem County

PURPOSE AND PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic		01-01 TO 12-31	0 04 CFS
			1.20 AFY
Commercial		01-01 TO 12-31	0.09 CFS
			1 00 AFY

THE COMMERCIAL USE IS FOR ORCHARD SPRAYING.

PLACE OF USE: Commercial T06N R02W S25 SENW Within Gem County
NWSE NESW
Domestic T06N R01W S20 NESW Within Gem County

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise ID 83720-0098

ADDRESS SERVICE
RETURNED



RETURNED
TO
SENDER
☐ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

RECEIVED

SEP 21 2001

Department of Water Resources

65-4128

CECILIA K WILLS

F ROBERT WILLS
3979 WILLS RD
EMMETT ID [REDACTED]

D



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2001

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in Basin 65 for the Payette River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have 120 days in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Emmett, Payette, Weiser, Idaho City, and Cascade, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed the first part of next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-4128
NAME AND ADDRESS: F ROBERT WILLS
3979 WILLS RD
EMMETT ID 83617

CECILIA K WILLS
3979 WILLS RD
EMMETT ID 83617

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
2.20 AFY

PRIORITY DATE: 07/06/1926

POINT OF
DIVERSION:

T06N R01W S20 NESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY
COMMERCIAL	1/01 12/31	0.090 CFS 1.00 AFY

THE COMMERCIAL USE IS FOR ORCHARD SPRAYING.

PLACE OF USE: DOMESTIC Within GEM County

T06N R01W S20 NESW

COMMERCIAL Within GEM County

T06N R02W S25	SENW	T06N R02W S25	NESW
T06N R02W S25	NWSE		

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/04/2001

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

RIGHT NUMBER: 65-4128

NAME AND ADDRESS: CECILIA K WILLS
F ROBERT WILLS
3979 WILLS ROAD
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.11 CFS
2.2 AFY

PRIORITY DATE: 07/06/1926

POINT OF DIVERSION: T06N R01W S20 NESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	0.09 CFS
		1.00 AFY
DOMESTIC 1 HOMES	1-01 12-31	0.04 CFS
		1.20 AFY

THE COMMERCIAL USE IS FOR ORCHARD SPRAYING.

PLACE OF USE:

<u>COMMERCIAL Within GEM County</u>		
T06N R02W S25	SENW	T06N R02W S25
T06N R02W S25	NWSE	NESW
<u>DOMESTIC Within GEM County</u>		
T06N R01W S20	NESW	

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-04128

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/16/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CECILIA K WILLS	07/06/1926	COMMERCIAL	01-01 12-31	0.090 CFS	1.00 AFA
C	F ROBERT WILLS		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	3979 WILLS ROAD					
	EMMETT ID 83617					
TOTAL DIVERSION:					0.110 CFS	2.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S20

NESW

GEM County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	02W	25	:																	:
			:																	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	01W	20	:																	:
			:																	:

POU County: GEM

Conditions of Approval:

- 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.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 65

Field Inspection Flag:

Presumption Flag:

USE: Commercial =
SDE. OT

WR0749NP
No. 65-04128

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/16/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT F. WILLS	07/06/1926	COMMERCIAL	01/01 12/31	0.090 CFS	1.00 AFA
C	CECILIA K. WILLS		DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
	3979 WILLS ROAD					
	EMMETT ID 83617			TOTAL DIVERSION:	0.110 CFS	2.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S20 NESW GEM County

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
06N	02W	25	:					:					:					:					:

Place of use Legal Description for: DOMESTIC

---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
06N	01W	20	:					:					:					:					:

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00935 65-04129 65-05321

Other Water Rights Listing Overlapping Place(s) of use:

65-00054X 65-13609

Dates:	App. Received:	Priority Date:	07/06/1926
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

