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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 65-5017A
Date Received: 3/14/90
Receipt No:
Received By:

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

1. Name of Claimant(s): HERMAN VANDERWIEL
2010 SW 3RD AVE
FRUITLAND ID USA 83619

Phone: (208) 452-5682

2. Date of Priority: 04/01/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	05W	11	SW SW	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	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 1.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	11	SW SW		DOMESTIC	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

Ownership Changed by DB 1/5/2001.

15. Basis of Claim: Decreed

T.C.F. ~~new~~ new owner,

Van Wheeler - he owns original
house, Kathleen bubble bought
 $\frac{1}{2}$ land & built new house
about 1980-85. Van Wheeler will
send ownership documentation.
change of ownership

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 26 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

MAY 25 2000

1. Water Right No(s): _____ Department of Water Resources

Adjudication Claim No(s): A65-05017A

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s) (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant HAROLD M / ETHEL M SCHLYTER

4. New Owner/Claimant(s) HERMAN VANDERWIEL

Name Connector (Check one). ☐ and, ☐ or, ☐ and/or

New Mailing Address 2010 SW 3RD AVE

City, State and ZIP Code FRUITLAND ID 83619

New Telephone Number (208) 452-5682

5. Date you acquired the property Aug 26 - 1997

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) *Herman Vanderwiel*
 or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

- 1 If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
- 2 The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
- 3 Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
- 4 The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
- 5 At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
- 6 You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your portion of the water right. Include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

- 7 The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
- 8 There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Notice of a claim to a water right No AB5-05017A

HERMAN VAN DER WIEL

2010 SW 3rd AVE

Fruitland, 83619

RECEIVED

APR 28 2000

WATER RESOURCES
WESTERN REGION

MAKE CHECK PAYABLE TO:
 YAYETTE COUNTY TAX COLLECTOR
 JANDA COLLINGWOOD, TREASURER
 1130 3RD AVENUE NORTH
 YAYETTE, ID 83661
 PHONE: (208) 642-6004

TAX YEAR 1999 CODE AREA 35
 PROPERTY TAX RECEIPT
 COUNTY OF YAYETTE
 STATE OF IDAHO

PARCEL: 957 2
 STATE #: 07N05W16S40
 REAL PROPERTY
 EVALUATION
 LAND 28,070
 IMPROVMENTS 90,690
 PERS. PROP.
 MOBILE HM
 SUBTOTAL 118,760
 -HM EXEMPT 35,825
 TOTAL 82,935

VANDERWIEL, HERMAN
 2010 SW 3RD AVE
 FRUITLAND ID 83619
 TAX 13 IN SWSM LESS
 E 180'
 SEC. 11-7-5

LDC: 2010.0 S W 3 AV
 TOTAL ACRES: 2.62

TAXES DELINQUENT FOR:

TOT TAX, SPECIALS, FEES 1,215.24
 -CIRCUIT BREAKER EXEMPTION .00
 SUBTOTAL 1,215.24
 NET TAX, SPECIALS, FEES 1,215.24

IMPORTANT
 PLEASE READ BOTH FRONT AND BACK
 *** MONTHLY PAYMENTS ARE ACCEPTED ***
 PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.
 KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE

RECEIVED
 APR 28 2000
 WATER RESOURCES
 WESTERN REGION

AL05-05017A

paid
 12.10.99

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: **A65-05017A**
Date Received: 3/14/1990
Receipt No: X999999
Received By: _____

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

1. Name: HAROLD M SCHLYTER 208-452-3564
Address: 2010 S W 3RD AVE
FRUITLAND ID 83619

Name: ETHEL M SCHLYTER 208-452-3564
Address: 2010 S W 3RD AVE
FRUITLAND ID 83619

2. Date of Priority: APR 1, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	11	SW	SW			PAYETTE

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
STOCKWATER	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	11	SW	SW		DOMEST	

11. Place of use in counties: PAYETTE

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

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): _____ Date: _____
_____ Date: _____

MICROFILMED
AUG 03 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 03 1994

ADJUDICATION MEMORANDUM

CLAIM NO.: AL5-05017A¹ AL5-05017B SUBJECT: Number Change

EMPLOYEE: F. Harris

DATE: 6-7-94

These claims have been renumbered due to
duplicate filings.

MICROFILMED

AUG 03 1994

Jan

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: A65-05017
Date Received: 3/14/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD M. SCHLYTER 208-452-3564
Address: 2010 S W 3RD AVE.
FRUITLAND, ID 83619

Name: ETHEL M. SCHLYTER 208-452-3564
Address: 2010 S W 3RD AVE.
FRUITLAND, ID 83619

2. Date of Priority: APR 01, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	11	SW	SW	SW		PAYETTE

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
STOCKWATER	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

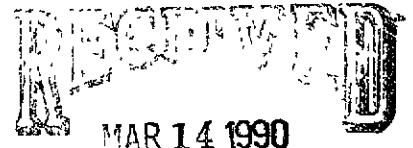
9. Non-irrigation uses:

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: 3956
Ident. No. *A65-05017*

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



Please type or print clearly:

Department of Water Resources

Name of claimant(s) *Hansel M Schlyter*
Edith M Schlyter

Mailing Address
(including zip code) *2010 SW 3rd ave*
Franklin
Idaho
83419

Phone Number *(208)* *452 - 3544*

MICROFILMED
AUG 03 1994

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: 65-05017
DATE RECEIVED: 3-14-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: HAROLD M. SCHLYTER
ADDRESS: ~~2010 SW 3rd Ave~~
FRUITLAND, ID 83619

RECEIVED
MAR 14 1990

2. DATE OF PRIORITY: APR 01, 1964

Department of Water Resources

3. SOURCE: GROUNDWATER TRIE. TC:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	05W	11	SW	SW			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(CP)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
STOCKWATER	01/01	12/31	0.020		0.40

7. TOTAL QUANTITY APPROPRIATED IS:

0.040 C.F.S. (AND/OR) 1.60 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	05W	11	SW	SW		DOMEST	

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

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

MICROFILMED

AUG 03 1994

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 X 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/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Harold M. Schlyter DATE: 3-13-90
Carol M. Schlyter DATE: 3-13-90

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 Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 13 DAY
OF March 19 90

Robert J. Hunt
NOTARY PUBLIC

SEAL

RESIDING AT Frankland ID 83619

MY COMMISSION EXPIRES 8-1-91

65-05017

PAGE

3

DATE: 01/23/90

3407

MICROFILMED

AUG 03 1994

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Schlyter

CLAIM IDENT. NO.

AGS-05017

DATE RECEIVED

3-14-90

CK #

AMOUNT \$

exempt

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
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. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
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. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☒ N/A ☐ NO *
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. ☐ YES ☒ N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
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.) ☐ YES ☒ N/A ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) ☐ YES ☒ N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ Exempt ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

RST

Date:

4-17-90

Claim must be returned to claimant:

☐ (Yes)

☒ (No)

Claimant must be notified of modifications:

☐ (Yes)

☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

[Signature]

Date:

Date:

Date:

5/14/90

Checked by:

RST

Date:

5-9-90

Comments:

MICROFILMED

AUG 03 1994

RECEIVED

MAR 26 2001

03/09/2001

RECEIVED

MAR 26 2001

WATER RESOURCES
WESTERN REGION

Department of Water Resources

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: 65-5017A

HERMAN VANDERWIEL
2010 SW 3RD AVE
FRUITLAND ID 83619

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: 3-22-2001 SIGNATURE: *Herman Vander Wiel*

Please print your name: HERMAN VANDERWIEL

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

02/06/2001

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

RIGHT NUMBER: 65-5017A

NAME AND ADDRESS: HERMAN VANDERWIEL
2010 SW 3RD AVE
FRUITLAND ID 83619

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS
1.6 AFY

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

PRIORITY DATE: 04/01/1964

POINT OF DIVERSION:

T07N R05W S11 SWSW 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 0.40 AFY
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE:

DOMESTIC Within PAYETTE County

T07N R05W S11 SWSW

STOCKWATER same as DOMESTIC

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

01/08/2001

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

RIGHT NUMBER: 65-5017A

NAME AND ADDRESS: HERMAN VANDERWIEL
2010 SW 3RD AVE
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.6 AFY

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

PRIORITY DATE: 04/01/1964

POINT OF DIVERSION: T07N R05W S11 SWSW 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 0.40 AFY
DOMESTIC	1-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

STOCKWATER Use same as DOMESTIC
DOMESTIC Within PAYETTE County
T07N R05W S11 SWSW

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

AJ0749NP
No. R65-05017A

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

DATE: 05/22/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD M SCHLYTER	04/01/1964	STOCKWATER	01-01 12-31	0.020 CFS	0.40 AFA
C	ETHEL M SCHLYTER		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	2010 S W 3RD AVE					
	FRUITLAND ID 83619					
	(208) 452-3564					
				TOTAL DIVERSION:	0.040 CFS	1.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S11

SWSW

PAYETTE County

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	: 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 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
07N	05W	11	:	:	:	:	:	:	:	:	:	:			

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 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:

Exp Panel No, R07N05W16340

Comm: Ownership documentation
Sent in, re-survey @ same
physical address



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Harold M Schlyter
SW 3rd Ave
Fruitland ID 83619

4/21/2000

Dear Mr. Schlyter

Our office is in the process of reviewing claims for recommendation to the Snake River Basin Adjudication (SRBA) Court. Your SRBA claim is a duplicate of a claim filed by another claimant. In order to make a correct recommendation to the court, I must determine ownership of this water right. I have enclosed a copy of a letter sent to you 1994 that explains this further. Please submit proof of ownership to our office as soon as possible or give me a call if you have other information about this water right. Thank you for your help.

Sincerely,

Scott D. Van Hoff
Sr. Water Resource agent

WR0749NP
No. 65-05017

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD M. SCHLYTER ROUTE 1 FRUITLAND ID 83619	04/01/1964	STOCKWATER DOMESTIC	01/01 12/31 01/01 12/31	0.020 CFS 0.040 CFS	0.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S11 SWS PAYETTE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
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 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 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 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 05W 11 : : : D :															

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-04247 65-06078

Dates:	App. Received:	Priority Date:	04/01/1964
	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

WR5809NP
No. 65-05017

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/10/97
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD M. SCHLYTER ROUTE 1 FRUITLAND ID 83619	04/01/1964	STOCKWATER DOMESTIC	01/01 12/31 01/01 12/31	0.020 CFS 0.040 CFS	0.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S11 ✓

SWSW ✓

PAYETTE County

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	:
07N	05W	11	:																	:

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
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Dates:	App. Received:	Priority Date:	04/01/1964
	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

Verified by AC Date: 1-6-98

Verification Source: mwp, computer

verify ownership

65-05017 = Schlyter
see A & B
65-05017A = Schlyter
entire right
65-05017B = Taylor
entire right

no more
info on
PRBA claim

Parcel 957

Jolly Family Trust,
Charles E & Thelma J
2000 SW 3rd Ave
Arundel, ID 83619

Prev. owner N. Schlyter

Parcel 957-2

Norman Vanderviel
2010 S.W. 3rd Ave.
Arundel, ID 83619

Prev. owner - Schlyter

Parcel 957-1

Delmer O & Rhoda P. Smith
5600 Hwy 95
Arundel, ID 83619

Prev. owner - Schlyter

Parcel 957-3

Jaylen - Noble Trust
2014 S.W. 3rd Ave.
Arundel, ID 83619

Prev. Owner: Jaylen



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 21, 1994

Re: Notice of a Claim to a Water Right No. A65-05017A

Harold M. Schlyter
Ethel M. Schlyter
2010 S.W. 3rd Ave.
Fruitland, ID 83619

Mr. & Mrs. Schlyter:

During normal review and filing of the Notice of Claim to a Water Right listed above, we found that two claims have been filed on the same existing water right.

In order to show both claims having been filed for the same existing water right, we have re-numbered your claim with either an A or a B suffix indicated after the original water right number. Enclosed is a computer generated copy of your claim showing this new suffix. Also enclosed is a copy of the other claim filed for this existing water right.

Prior to submitting these claims to the Court for decree, the Department will research and require proof of ownership to determine the present owner of the place of use shown on the existing water right for which these claims were filed. We will contact you at that time for this evidence, however, if the ownership can be clarified at this time, please feel free to contact this office either in writing or by phone.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

MICROFILMED

AUG 03 1994