

**T06N R02W
S01**

Idaho Department of Water Resources

Claims: 65-05020

Prepared by:

RON HOWERTON

Date: 30 AUG 00

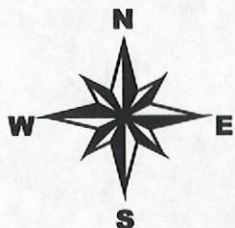
 **Place of use**

 **POD**

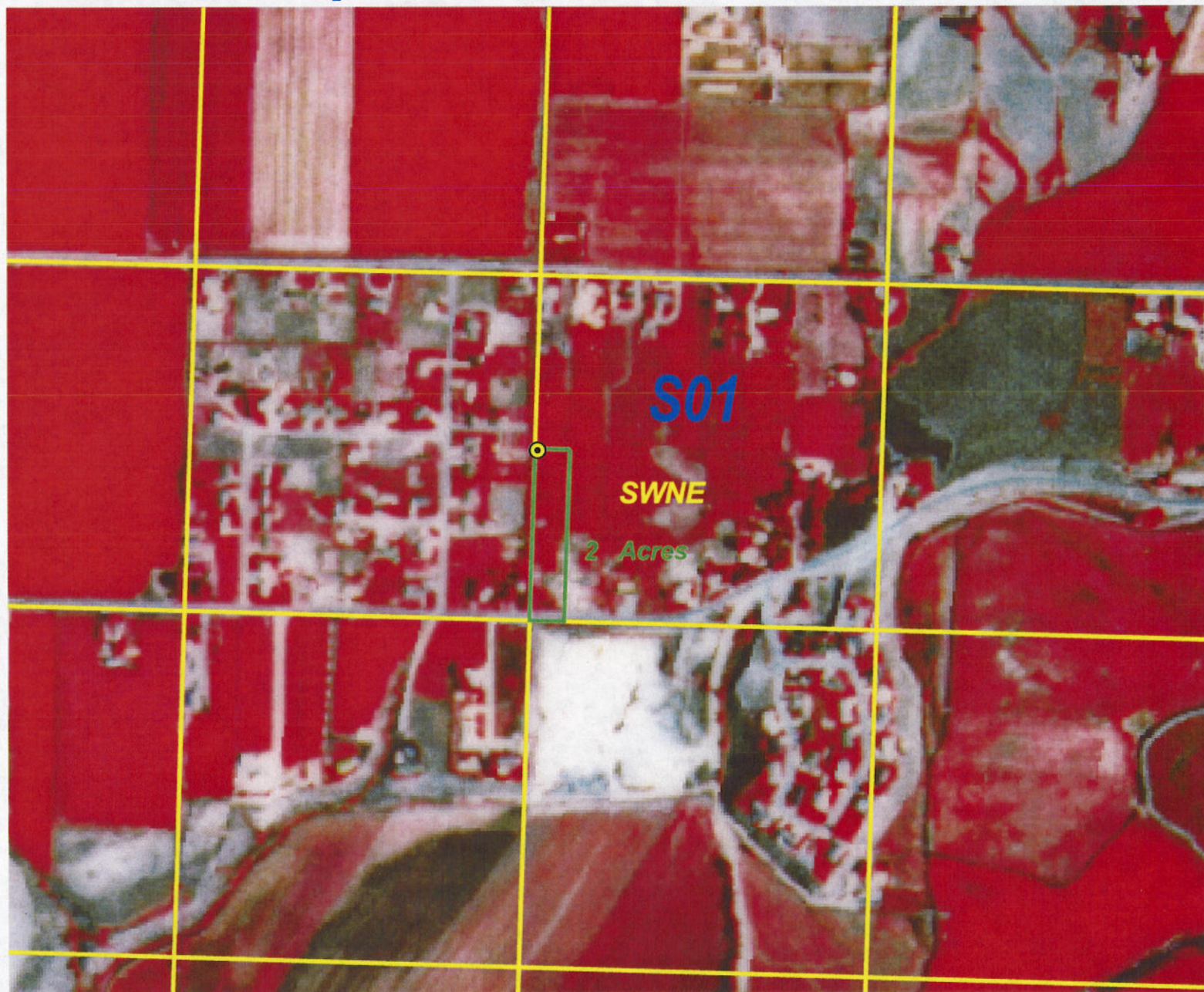
 **SECTION**

 **1/4 1/4**

2 Acres



1987 NAPP



**T06N R02W
S01**

Idaho Department of Water Resources

Claims: 65-05020

Prepared by:

RON HOWERTON

Date: 30 AUG 00

 **Place of use**

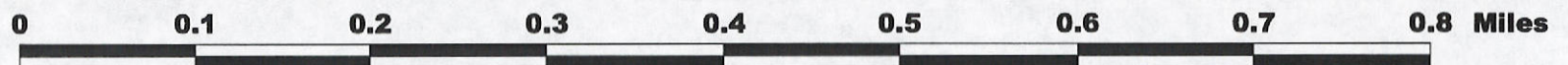
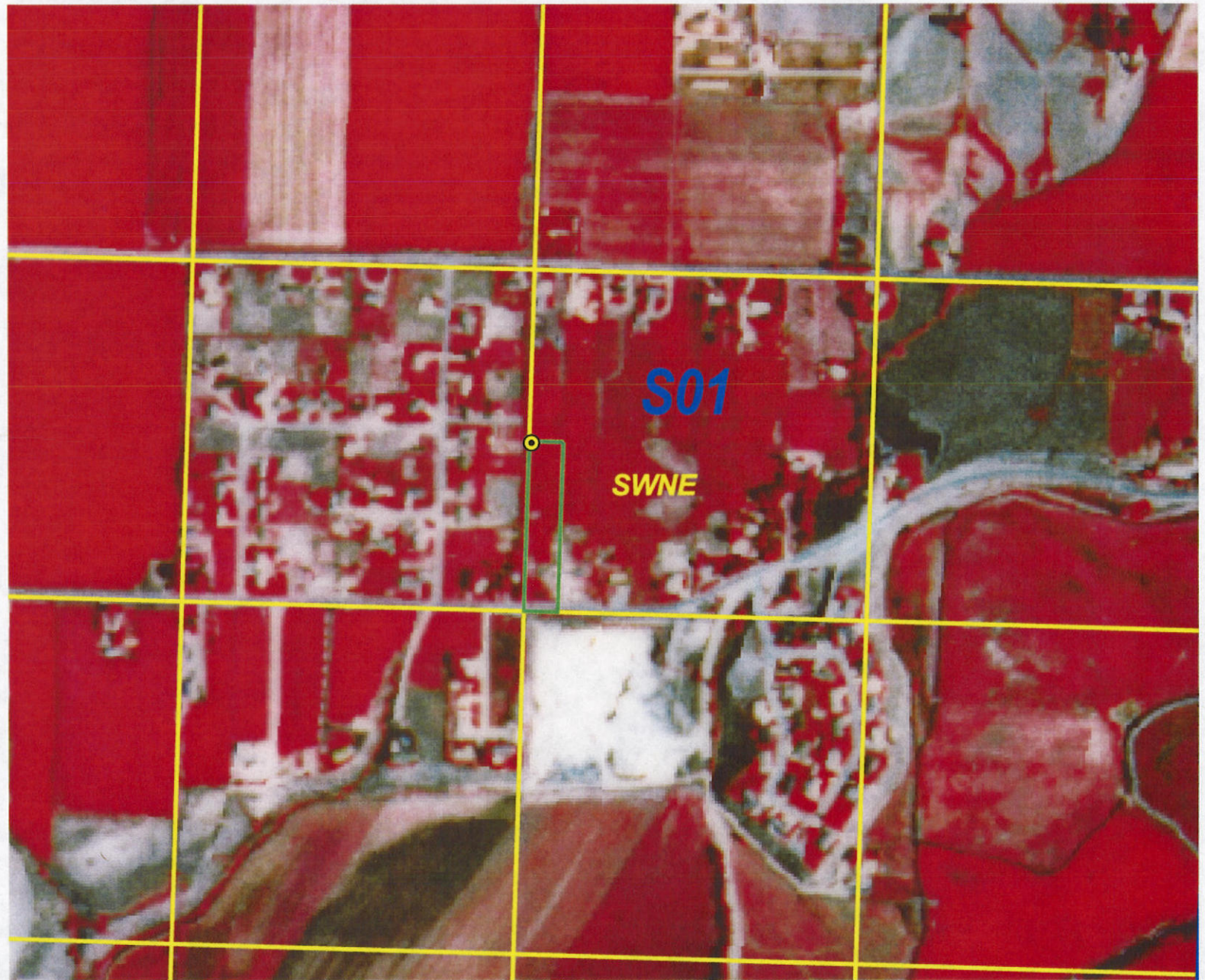
 **POD**

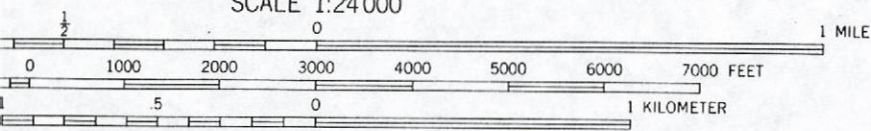
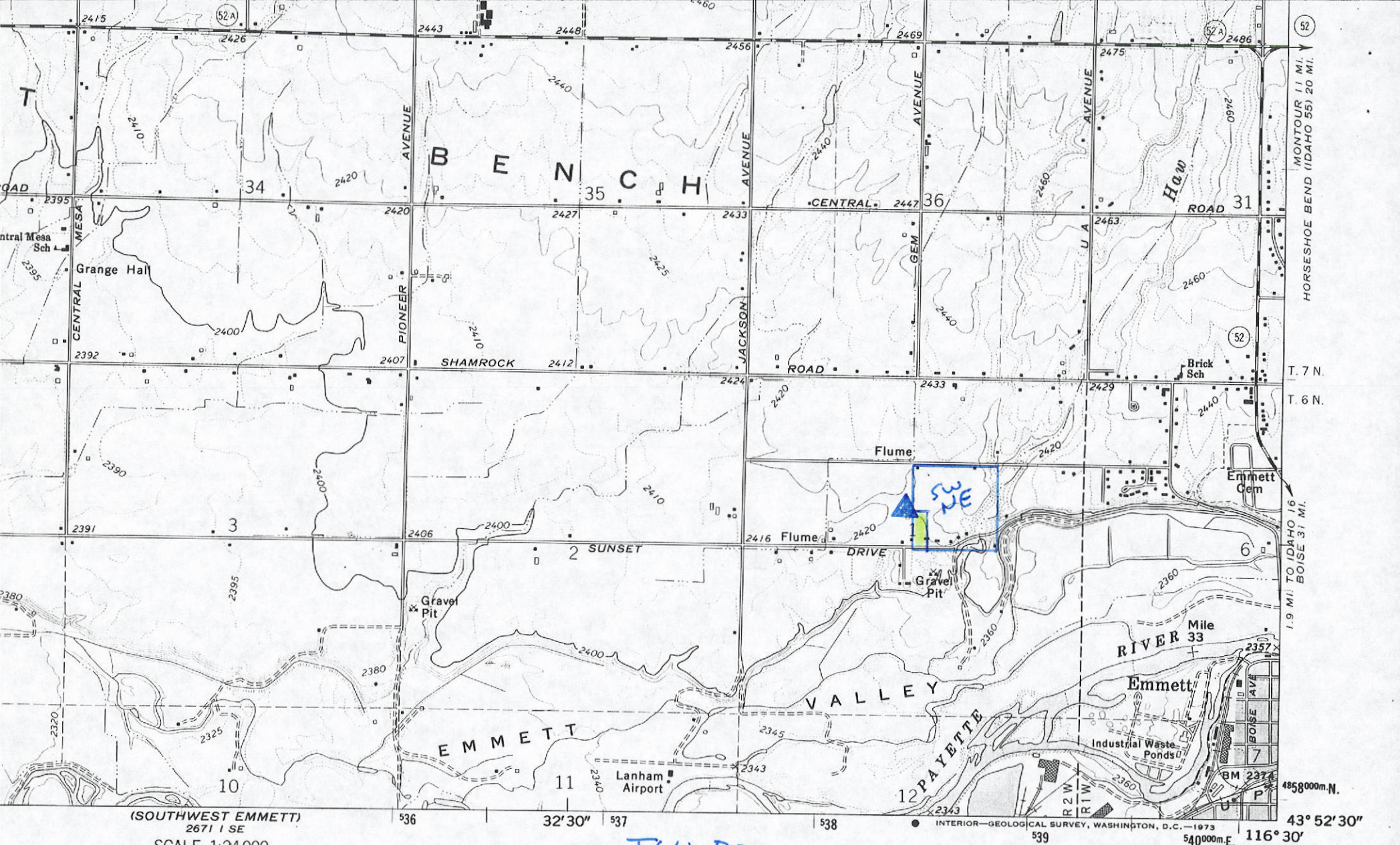
 **SECTION**

 **1/4 1/4**



1987 NAPP





CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

T6N R2W
 WG
 1971 TOPO
 SOI SWNE

IDAHO

QUADRANGLE LOCATION

ROAD CLASSIFICATION

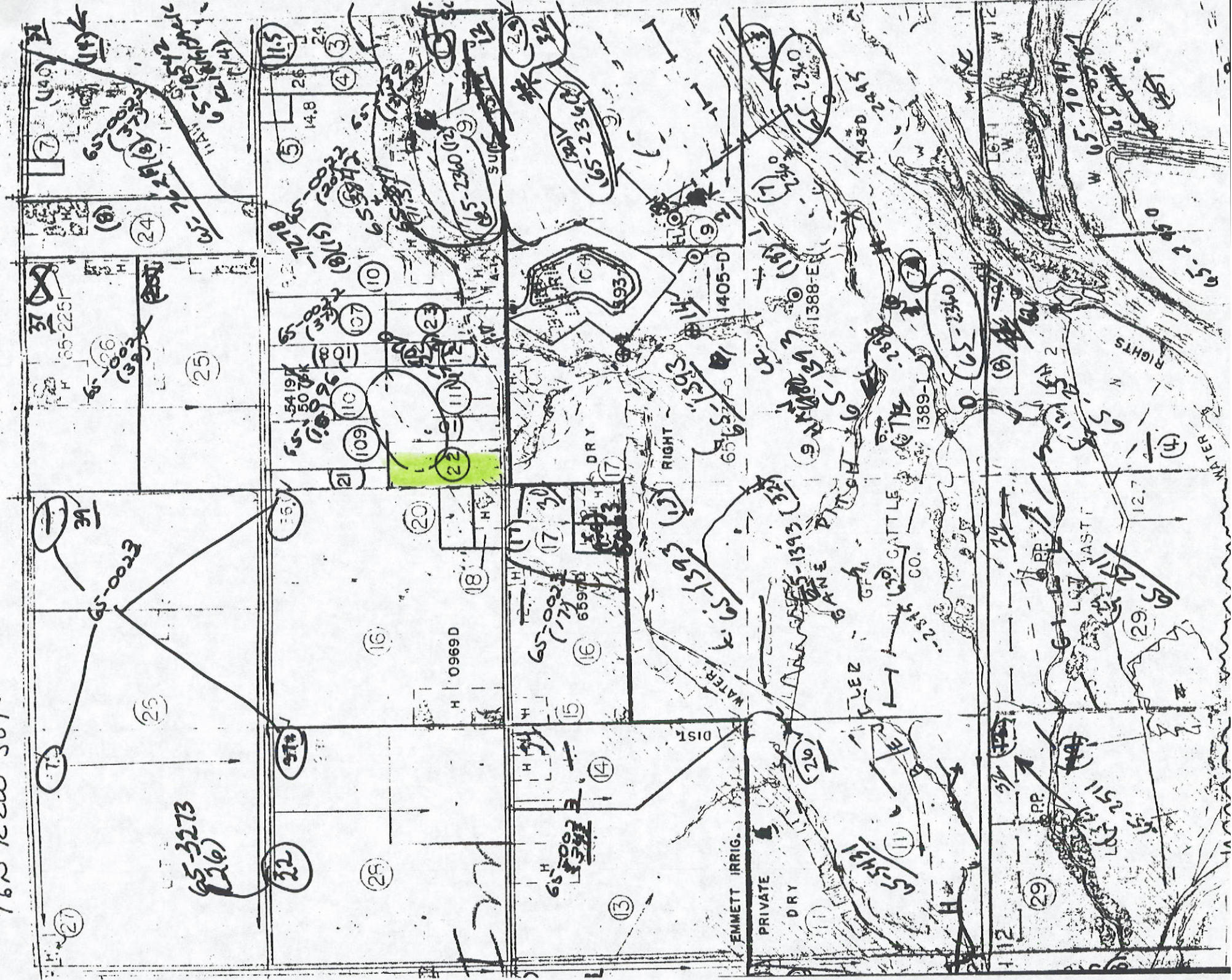
Primary highway, hard surface ————
 Secondary highway, hard surface ————
 Light-duty road, hard or improved surface ————
 Unimproved road ————

○ Interstate Route ◡ U. S. Route ○ State Route

NORTHWEST EMMETT, IDAHO
 N4352.5 W11630.7 E

PRBA BLUELINE MAP A

T6N R2W S01



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: A65-05020

Date Received: 12/19/1989

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: ROYAL A. WENIG 208-365-3658
Address: 1450 SUNSET DRIVE
EMMETT, ID 83617

Name: MARY J. WENIG 208-365-3658
Address: 1450 SUNSET DRIVE
EMMETT, ID 83617

2. Date of Priority: JUN 07, 1968

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	1		SW	NE		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

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

8. Total consumptive use is _____ Acre Feet Per Annum.

9. Non-irrigation uses:

A65-05020

Page 1

Date: 02/02/90

MICROFILMED

SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	1	SW NE		IRR	2.0
Section Acres						2.0
Total Acres						2.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

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. 45-05020

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

Please type or print clearly:

Name of Claimant(s) Royal A. Wenig and
Mary J. Wenig

Mailing Address 1450 Sunset Drive
(include Zip Code) Emmett, Idaho 83617

Phone Number (208) 365 - 3658

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: 65-05020
DATE RECEIVED: 12-19-89
RECEIPT NO: X99999
RECEIVED BY: *het*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 19 1989

Department of Water Resources

1. NAME: ROYAL A. WENIG
ADDRESS: ROUTE 2, BOX 259
EMMETT, ID

83617

OR

NAME: MARY J. WENIG
ADDRESS: ROUTE 2, BOX 259
EMMETT, ID

83617

2. DATE OF PRIORITY: JUN 07, 1968

3. SOURCE: WASTE WATER TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	02W	1	SW	NE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

7. TOTAL QUANTITY APPROPRIATED IS:
0.040 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
06N	02W	1	SW	NE		IRR	2.0
SECTION ACRES							2.0
TOTAL ACRES							2.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

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): Royal A. Henig DATE: 12/19/89
Mary J. Henig DATE: 12/19/89
X Royal A. Henig 12/19/89

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 Ada) SS.

Royal A. Henig
SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 19th DAY
OF December 19 89

Helen Harrington
NOTARY PUBLIC

SEAL

RESIDING AT Helen Harrington, Notary Public
Residing at Boise, Idaho
MY COMMISSION EXPIRES My Commission Expires December 1, 1994
DATE: 10/28/89 5981

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME _____

CLAIM IDENT. NO. AL65-05020

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

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

Claim checked by: aat

Date: _____

Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____

Claim data entered by: aatSent to claimant by: aat

Date: _____

Date: 2/2/90

Date: _____

Checked by: aatDate: 2/27/90

MICROFILMED

Comments: _____

SEP 22 1992



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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

12/08/2000

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

RIGHT NUMBER: 65-5020

NAME AND ADDRESS: MARY J WENIG
ROYAL A WENIG
1450 SUNSET DRIVE
EMMETT, ID 83617

SOURCE: WASTEWATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.04 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/07/1968

POINT OF DIVERSION: T06N R02W S1 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.04 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S1 SWNE 2
2 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 - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM EMMETT
IRRIGATION DISTRICT.

AJ5809NP
No. A65-05020

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/25/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROYAL A WENIG	06/07/1968	IRRIGATION	03-15 11-15	0.040 CFS	
C	MARY J WENIG					
	1450 SUNSET DRIVE			TOTAL DIVERSION:	0.040 CFS	
	EMMETT ID 83617					
	(208) 365-3658					

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S01 SWNE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	1	:				02	:												:	2.0
																				TOTAL ACRES	2.0

POU County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

W 16 1/2 QNT E20

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

C18

POY PER 1994 TAX SHAPES

WR5809NP
No. 65-05020

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROYAL A. WENIG	06/07/1968	IRRIGATION	03/15 11/15	0.040 CFS	
C	MARY J. WENIG					
	ROUTE 2, BOX 259			TOTAL DIVERSION:	0.040 CFS	
	EMMETT ID 83617					

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S01 SWNE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	1	:				02													:	2.0
																				TOTAL ACRES	2.0

Pou County: GEM

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

65-00063 65-00961 65-01940 65-03314 65-05018 65-05076 65-05334 65-05419 65-05491

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

65-00961 65-03842 65-05076

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 06/07/1968
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

**T06N R02W
S01**

Idaho Department of Water Resources

Claims: 65-05020

Prepared by:

RON HOWERTON

Date: 30 AUG 00

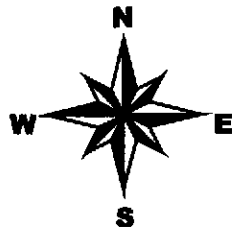
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

2 Acres



1987 NAPP



**T06N R02W
S01**

Idaho Department of Water Resources

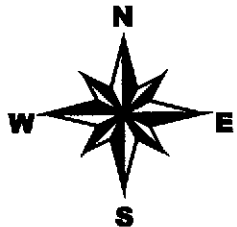
**Claims: 65-05020
Prepared by:
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Date: 30 AUG 00**

 **Place of use**

 **POD**

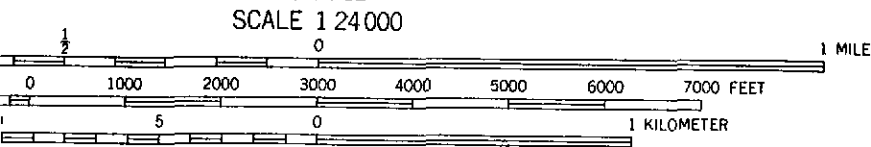
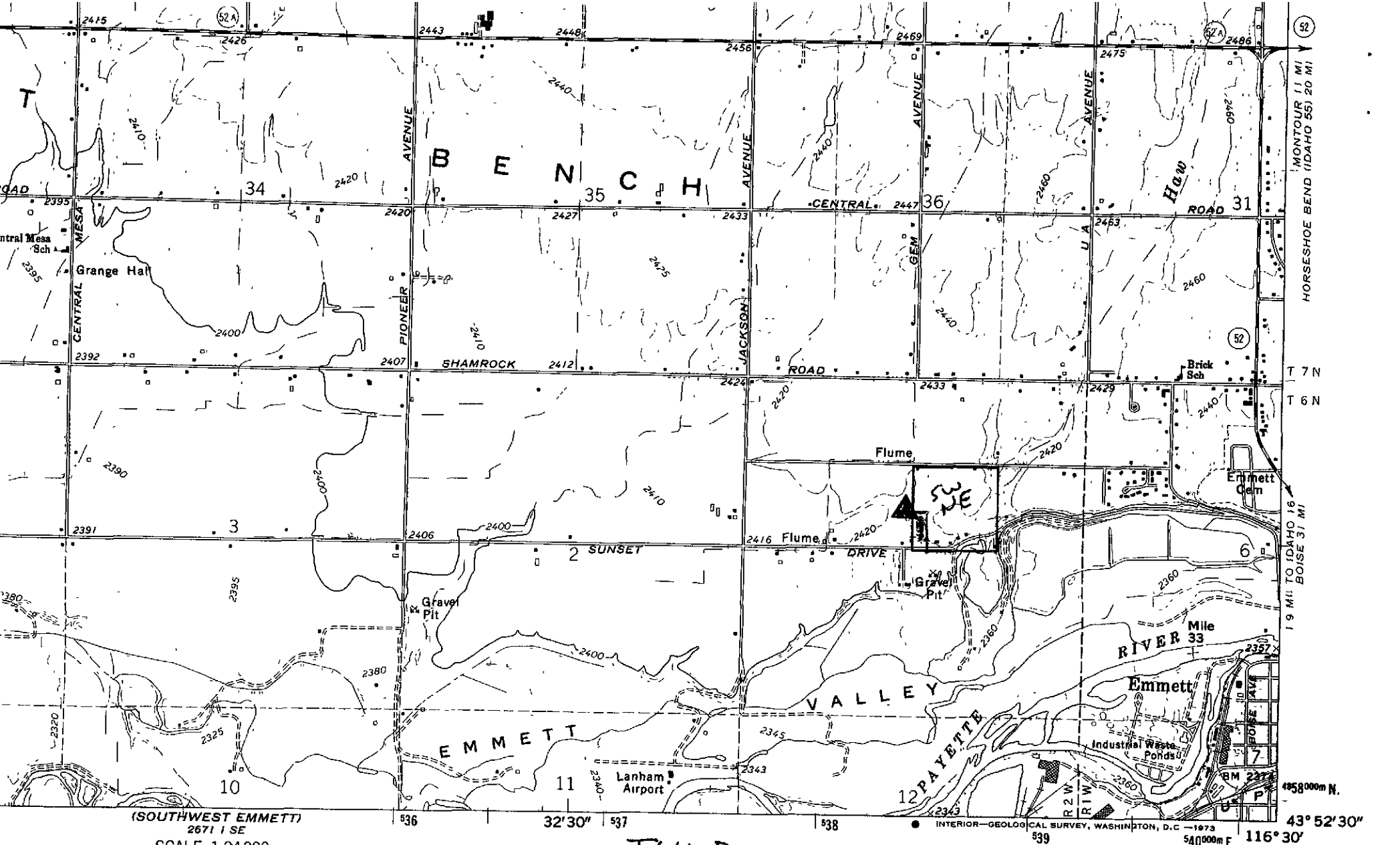
 **SECTION**

 **1/4 1/4**



1987 NAPP





CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

T6N R2W
 W6
 1971 TOPO
 S01 SWNE

IDAHO

QUADRANGLE LOCATION

ROAD CLASSIFICATION

Primary highway, hard surface ————
 Secondary highway, hard surface ————
 Light-duty road, hard or improved surface ————
 Unimproved road ————

○ Interstate Route ◻ U S Route ○ State Route

NORTHWEST EMMETT, IDAHO
 N4352.5 W11630.7

(MONTGOMERY 1:50,000 2771 IV)

T6w R2w S01-

