

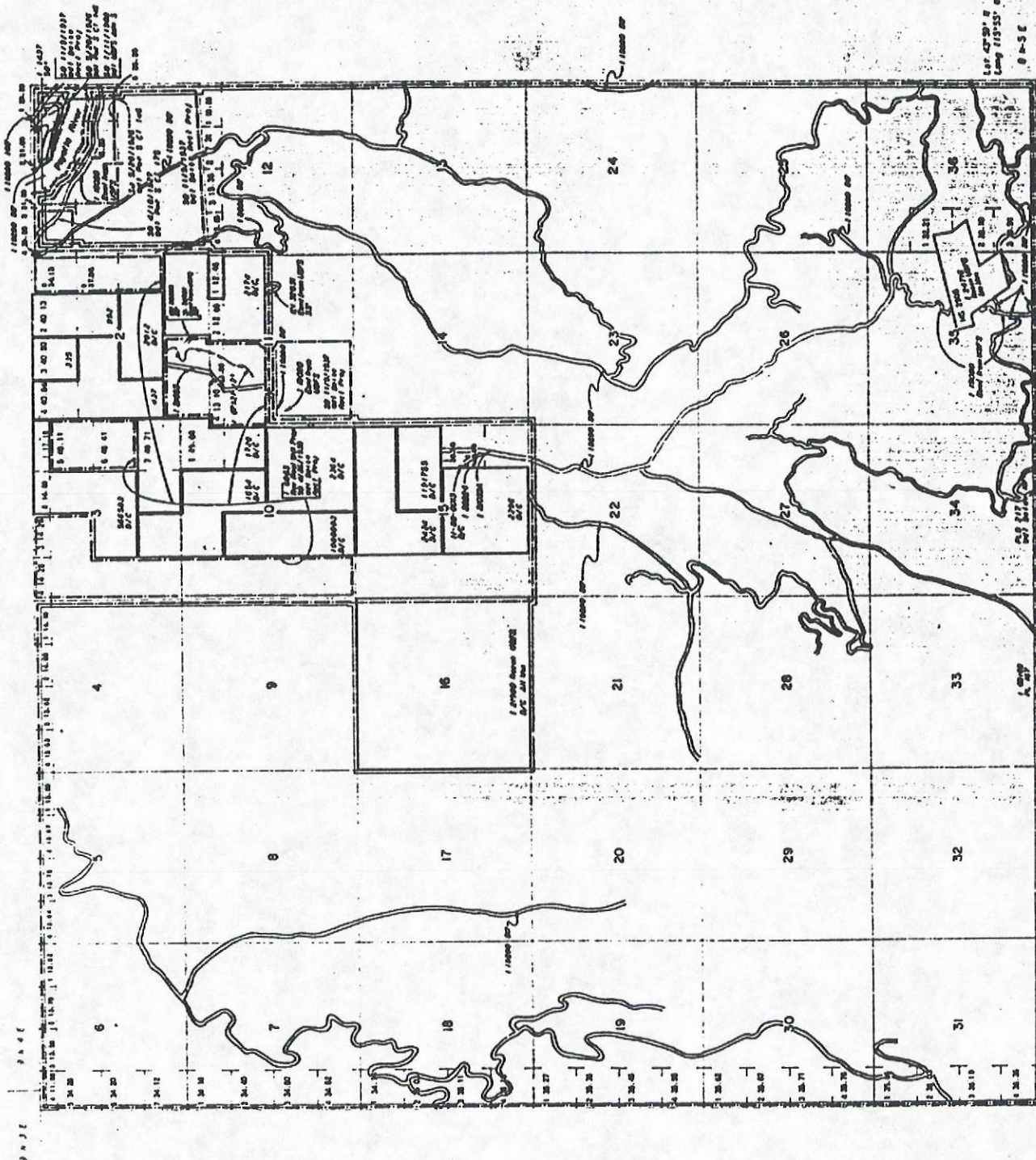
TOWNSHIP 8 NORTH RANGE 4 EAST OF THE BOISE MERIDIAN, IDAHO

BOISE COUNTY OIS

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC
1	8	4	1
2	8	4	2
3	8	4	3
4	8	4	4
5	8	4	5
6	8	4	6
7	8	4	7
8	8	4	8
9	8	4	9
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30	8	4	30
31	8	4	31
32	8	4	32
33	8	4	33
34	8	4	34
35	8	4	35
36	8	4	36

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNDEVELOPED LANDS REFER TO BUREAU OF
LAND MANAGEMENT DOCUMENTS

CURRENT TO	CURRENT TO
1893-1-1-1898	1893-1-1-1898
SEE PLATS	SEE PLATS

Scale
T. 8N
R. 4E

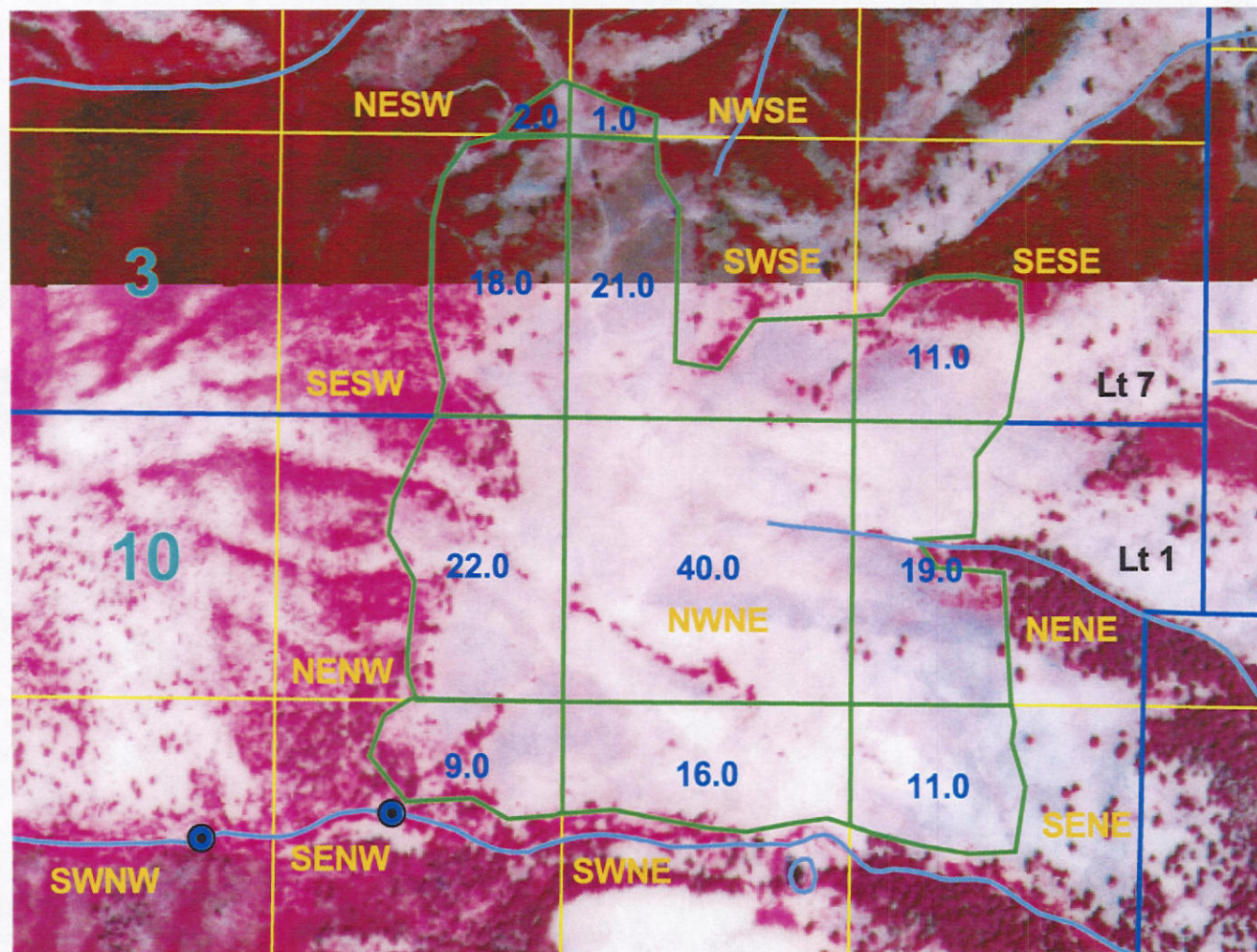
CLAIM A65-06306 INIT 4a
T. R. S. Q/Q
P/D 8N 4E 10 SE 1/4 NW
SCALE SE 1/4 NW
PHOTO ID. V61 DATE 1988



5b

IDAHO DEPARTMENT OF WATER RESOURCES

T08N, R04E, S03 & S10



1987 NAPP PHOTO

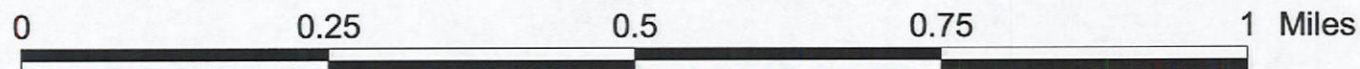
- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-06306

OWNER(S): WEILMUNSTER

Prepared by Mel Schulte

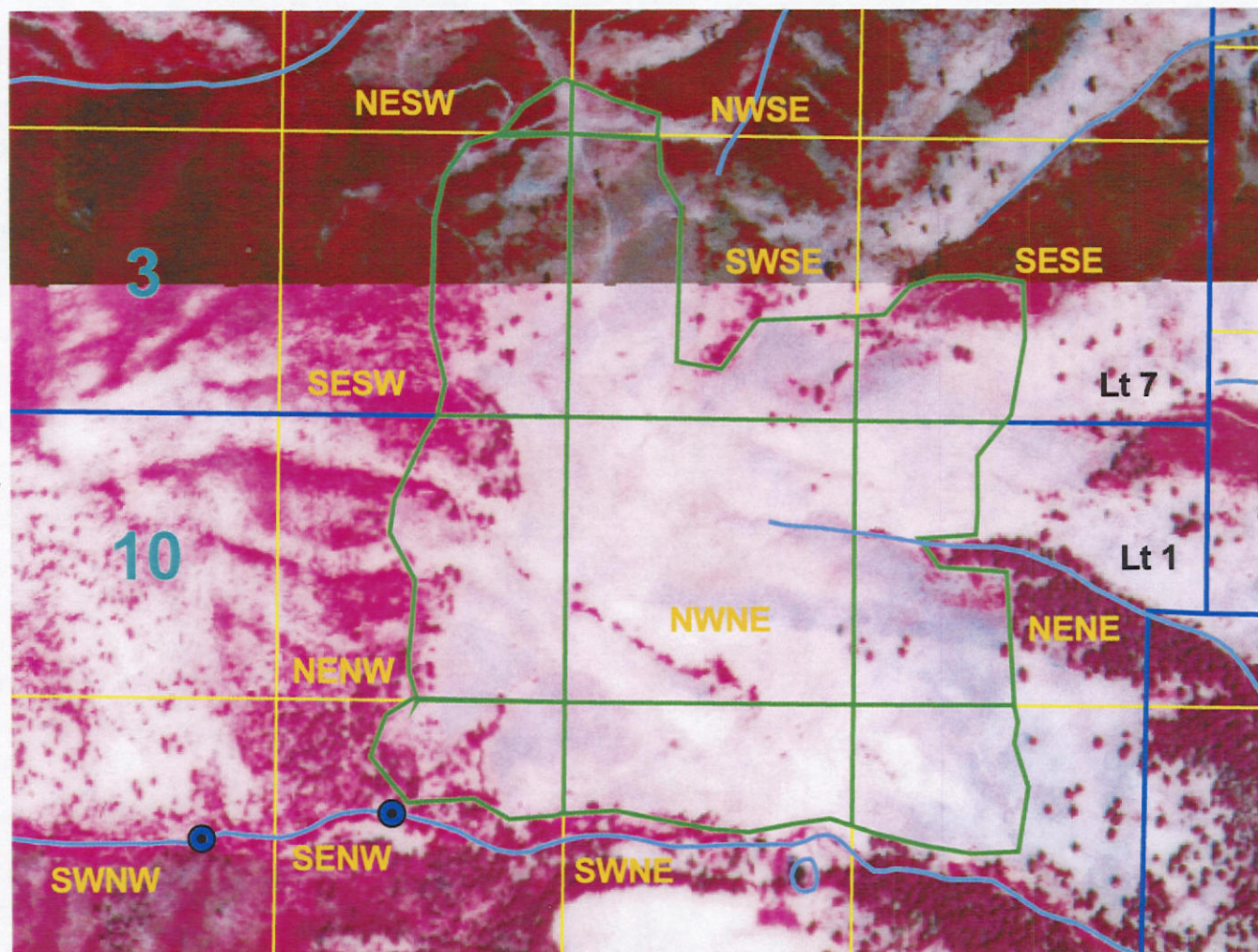
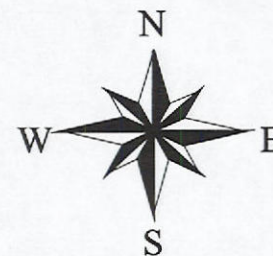
DATE: NOVEMBER 29, 1999



5c

IDAHO DEPARTMENT OF WATER RESOURCES

T08N, R04E, S03 & S10



1987 NAPP PHOTO

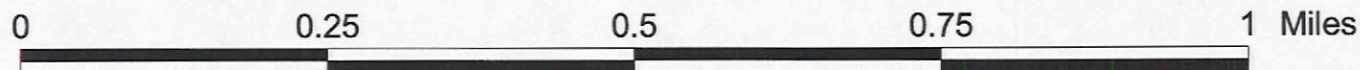
- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
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CLAIM(S): 65-06306

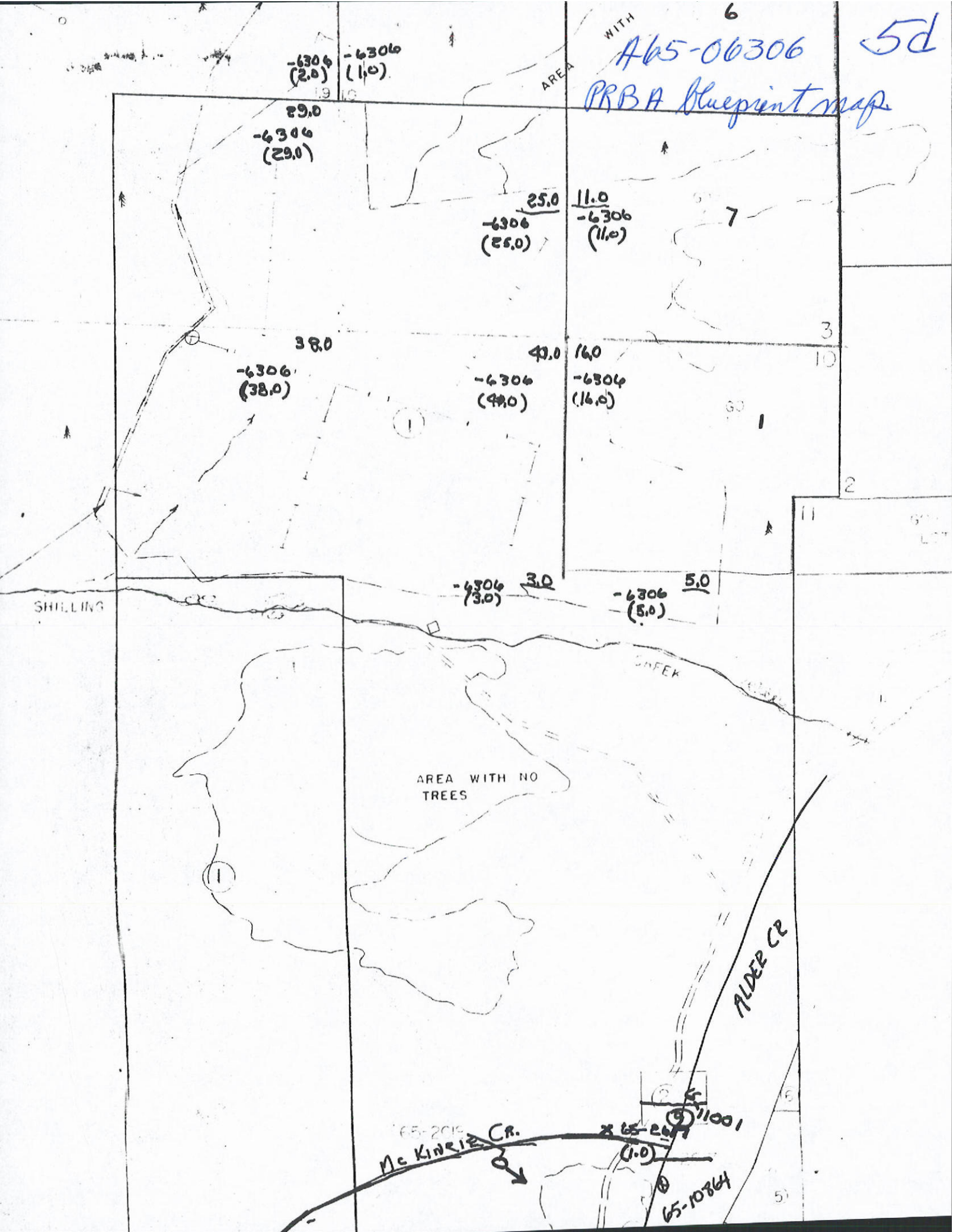
OWNER(S): WEILMUNSTER

Prepared by Mel Schulte

DATE: NOVEMBER 29, 1999



6
A65-06306 5d
PRBA Blueprint map



CLAIM A65-06306 INTT Se
T. R. S. Q/Q
P/D 8N 4E 10 SWNW
SCALE PRBA map SENW
PHOTO ID. ASCS DATE 1964

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10 11

1000' 1000'

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: A65-06306
Date Received: 3/27/1989
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: APR 01, 1886

3. Source: SHILLING CREEK Trib. to: ALDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04E	10	SW	NW			BOISE
			SE	NW			BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.400		

7. Total Quantity Appropriated is:
3.400 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
08N	04E	3	NE	SW		IRR	2.0
			SE	SW		IRR	29.0
			NW	SE		IRR	1.0

A65-06306

Page 1

Date: 04/03/89

MICROFILMED
SEP 23 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04E	3	SW	SE		IRR	25.0
			SE	SE		IRR	11.0
			Section Acres				68.0
		10	NE	NE	1	IRR	16.0
			NW	NE		IRR	40.0
			SW	NE		IRR	3.0
			SE	NE		IRR	5.0
			NE	NW		IRR	38.0
			Section Acres				102.0
			Total Acres				170.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

OFFICE PHONE; (208) 722-5817

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. A65-06306

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

Please type or print clearly:

Name of Claimant(s) Don K. Weilmunster

Mailing Address P.O. Box 4
(include Zip Code) Garden Valley, ID 83622

Phone Number (208) 462-3777
722-5817 office

MICROFILMED

SEP 23 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: 65-06306
DATE RECEIVED: 3-27-89 CA
RECEIPT NO: X999999
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: DON K. WEILMUNSTER
ADDRESS: MONTGOMERY STAR RT.
EMMETT, ID 83617-0000
2. DATE OF PRIORITY: APR 01, 1886
3. SOURCE: SHILLING CREEK TRIB. TO: ALDER CREEK
4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	04E	10	SW	NW			BOISE
			SE	NW			BOISE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	3.400		

7. TOTAL QUANTITY APPROPRIATED IS:
3.400 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
08N	04E	3	NE	SW		IRR	2.0
			SE	SW		IRR	29.0
			NW	SE		IRR	1.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	04E	3	SW	SE		IRR	25.0
			SE	SE		IRR	11.0
			SECTION ACRES				68.0
		10	NE	NE	1	IRR	16.0
			NW	NE		IRR	40.0
			SW	NE		IRR	3.0
			SE	NE		IRR	5.0
			NE	NW		IRR	38.0
			SECTION ACRES				102.0
			TOTAL ACRES				170.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREEED

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: _____

OR INDIVIDUALS:

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

SIGNATURE OF CLAIMANT(S): *Dan S. [Signature]* DATE: 3-27-89

DATE: _____

OR 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.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 27th DAY
OF March 19 89
Carter Fritschle
NOTARY PUBLIC

SEAL

RESIDING AT _____
MY COMMISSION EXPIRES _____
Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

MICROFILMED
SEP 23 1992

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

BRIAN L. McMAHAN

BLM/plp
Enc.

cc: Client

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.

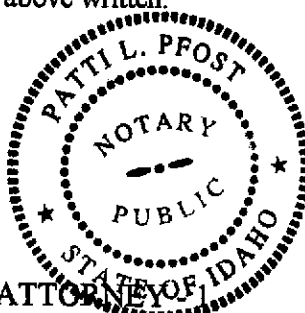
DATED this 29 day of Nov, 2000.


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: 2/22/2006

SPECIAL POWER OF ATTORNEY

RECEIVED

AUG 31 2000

Department of Water Resources

RECEIVED

JAN 19 2001

WATER RESOURCES
WESTERN REGION

2000 AUG 29 PM 3: 53

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

) SPECIAL MASTER'S REPORT

) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW

) FOR WATER RIGHT 65-06306
)

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 65-06306*.

DATED August 30, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

AUG 31 2000

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

200 AUG 29 PM 3: 54

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED 20

SOURCE: SHILLING CREEK TRIBUTARY: ALDER CREEK

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION: T08N R04E S10 SENW Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.40 CFS

PLACE OF USE:	Irrigation		Within Boise County
	T08N R04E S03	NESW 2.0	SESW 18.0
		NWSE 1.0	SWSE 21.0
	LOT 07 (SESE)	11.0	
	S10 LOT 01 (NENE)	19.0	NWNE 40.0
		SWNE 16.0	SENE 11.0
		NENW 22.0	SENW 9.0
	170.0 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. 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.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 65-06306

RECOMMENDATION

AUG 30 2000

SPECIAL MASTER

RECEIVED

AUG 31 2000

Department of Water Resources

2000 AUG 29 PM 3: 54

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 65-06306

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 29, 2000, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DON K WEILMUNSTER
PO BOX 4
GARDEN VALLEY, ID 83622
Phone: 208-462-3777

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
08/29/00

RECEIVED

AUG 31 2000

Department of Water Resources

200 AUG 29 PM 3:54

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

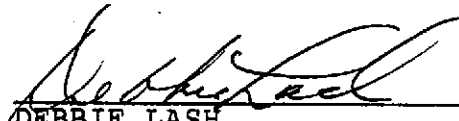
Water Right(s): 65-06306

On August 29, 2000, Special Master THOMAS R CUSHMAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 29, 2000.


DEBBIE LASH
Deputy Clerk

SRBA DIRECTORS REPORT 65-06306

*PD ISSUED - AFTER
OBJECTION RESOLVED*

Return to SRBA Home Page

IWT072

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

Right Number: 65-06306

*
* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
* IT WAS 1ST FILED. *
*

Name and Address: DON K WEILMUNSTER
PO BOX 4
GARDEN VALLEY, ID 83622

Source: SHILLING CREEK Tributary: ALDER CREEK

Quantity: 3.40 CFS

Priority Date: 04-01-1886

Diversion Point: T08N R04E S10 SENW Within Boise County

Purpose and Period of Use:	Purpose of Use Irrigation	Period of Use 04-01 TO 11-01	Quantity 3.40 CFS
-------------------------------	------------------------------	---------------------------------	----------------------

Place of Use:	Irrigation T08N R04E S03	Within Boise County	
	NESW 2	SESW 18	
	NWSE 1	SWSE 21	
	LOT 7 (SESE) 11		
	S10 LOT 1 (NENE) 19	NWNE 40	
	SWNE 16	SENE 11	
	NENW 22	SENW 9	
	170 Acres Total		

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

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

Return to SRBA Home Page

RECEIVED

JUN 30 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 19 2000

Department of Water Resources

**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

A. Subcase 65-06306

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (208) 331-5941 phone, (208) 387-0842 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Don K. Weilmunster

Address: P.O. Box 4; Garden Valley, Idaho 83622

Name:

Address:;

Name:

Address:;

Name:

Address:;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached Sec 10 SWNW is on BLM
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. Field Investigation did not find any diversion structure. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

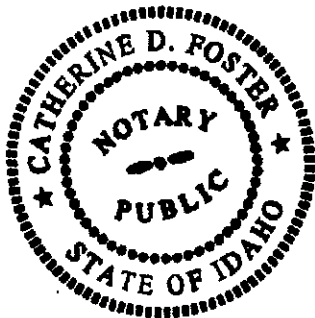
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 16, 2000

Catherine D. Foster



Catherine D. Foster

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 03-14-2006

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 16, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Don K. Weilmunster
Address: P.O. Box 4; Garden Valley, Idaho 83622

Name:
Address:;

Name:
Address:;

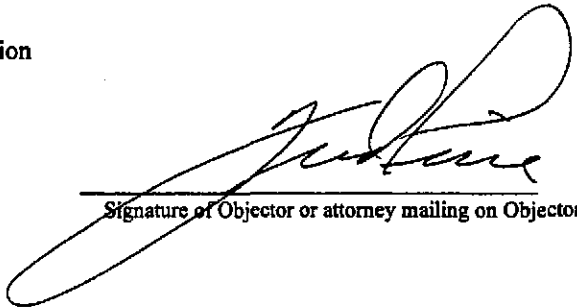
Name:
Address:;

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: SHILLING CREEK TRIBUTARY: ALDER CREEK
RIGHT NUMBER: 65-06306

NAME & ADDRESS: DON K WEILMUNSTER
PO BOX 4
GARDEN VALLEY ID 83622

SOURCE: SHILLING CREEK TRIBUTARY: ALDER CREEK

QUANTITY: 3.4 CFS

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION: T08N R04E S10

SWNW BLM - NO DIVERSION STRUCTURE EXISTS AT THIS LOCATION.
SENW ✓ Within BOISE County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 11-01 3.4 CFS

PLACE OF USE: IRRIGATION Within BOISE County
T08N R04E S03 NESW 2 ✓ SESW 18 ✓ LOT 6 (NWSE) 1 ✓ SWSE 21 ✓
S10 Lot 7 (SESE) 11 ✓ Lot 1 (NENE) 19 ✓ NWNE 40 ✓ SWNE 16 ✓ SENE 11 ✓
NENW 22 ✓ SENW 9 ✓
170 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 - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

REMOVE POD ON BLM FROM THIS CLAIM.

BOISE COUNTY 003
BOISE DISTRICT SEC 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

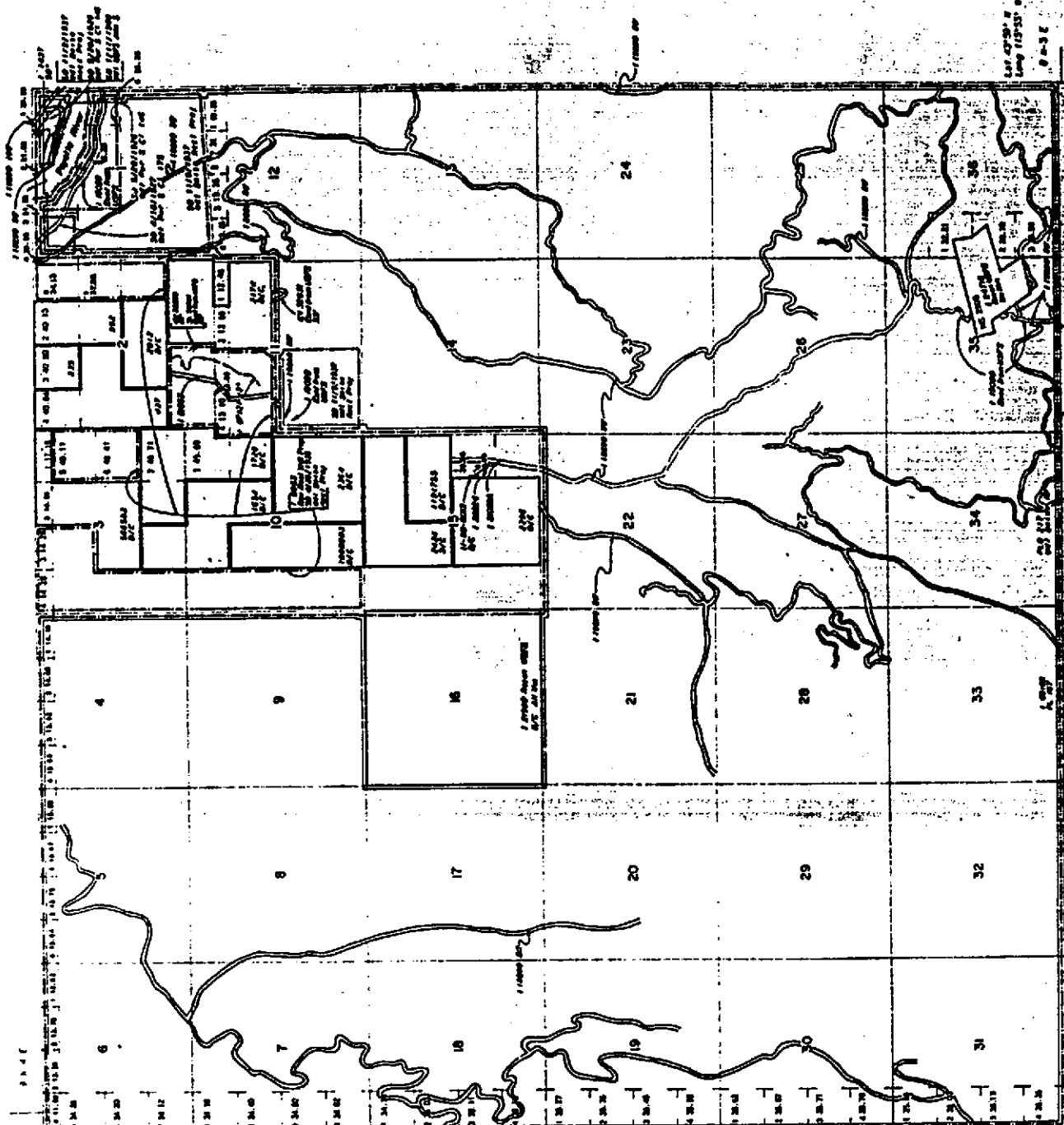
09 APR 0817N 162 145Z at Sea 7/20/1955)
Completed 7/1/1954, all of surface unit No. 252,
and hulling
1 00160 (-) Set 25: 51 Empty No. 1

FOR CARRIES EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
UNIDENTIFIED DOCUMENTS

DATE	06-17-1968
COMPANY TO	SA LAMARCO

WFO PLATS

Y. 94. 42.



SCALE IN CUBIC

AJ0749NP
No. R65-06306

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

DATE: 11/30/99
PAGE: 1

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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	04/01/1886	IRRIGATION	04-01 11-01	3.400 CFS	
TOTAL DIVERSION:					3.400 CFS	

Water Source: SHILLING CREEK Tributary to: ALDER CREEK Stage: DECREED

Point(s) of Diversion: T08N R04E S10 SWNW SENW BOISE 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	
08N	04E	3	:													02		18			:	53.0
08N	04E	10	:	01-19		40		16		11		22		09							:	117.0
TOTAL ACRES																				:	170.0	

POU County: BOISE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 11/30/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:34
11/26/99
32

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-06306

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON K WEILMUNSTER	04/01/1886	IRRIGATION	04-01 11-01	3.400 CFS	
					TOTAL DIVERSION:	3.400 CFS

Water Source: SHILLING CREEK

Tributary to: ALDER CREEK

Stage: DECREED

Point(s) of Diversion: T08N R04E S10

SWNW

SENW

BOISE 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	Lt	Ac	Lt	Ac	:	SUM
08N	04E	3	:																					:	68.0
08N	04E	10	:	01-16		40		03		05		38												:	102.0
																							TOTAL ACRES		170.0

POU County: BOISE

See attached GIS map.

Remarks: GEN OFFICE PHONE: (208) 722-5817

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED <u>1988 map</u> IDWR ID NO. <u>V61</u>	Y(☒) N() <u>4e</u>
(☒) NAPP <u>GIS maps (2)</u>	DATE OF PHOTO <u>11-29-99</u> IDWR ID NO. _____	Y(☒) N() <u>5b & 5c</u>
(☒) ASCS AERIAL PHOTO	DATE OF PHOTO <u>1964 PRBA map</u>	Y(☒) N() <u>5e</u>
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
(☒) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☒) N() <u>5f</u>
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>GIS Table</u>	DATE <u>11-29-99</u>	Y(☒) N() <u>5a</u>
(☒) OTHER <u>PRBA blueprint map</u>	DATE _____	Y(☒) N() <u>5d</u>
(☒) OTHER <u>PRBA claims</u>	DATE <u>3-27-73</u>	Y(☒) N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(☒) OTHER <u>POU review report</u>	DATE <u>11-29-99</u>	<u>1</u>	_____
(☒) OTHER <u>page from decree</u>	DATE <u>3-2-79</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:06
11/26/99

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QUICKLOOK INFORMATION

31
CLAIM NUMBER: A65-06306

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 11-30-99 by office	N		MS 11-30-99	MS 11-30-99	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			~~N~~				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				N				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

WR5809NP
No. 65-06306

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/29/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON K. WEILMUNSTER MONTGOMERY STAR RT. EMMETT ID 836170000	04/01/1886	IRRIGATION	04/01 11/01	3.400 CFS	
TOTAL DIVERSION:					3.400 CFS	

Water Source: SHILLING CREEK

Tributary to: ALDER CREEK

Stage: DECREED

Point(s) of Diversion: T08N R04E S10 SWNW SENW BOISE 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	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
08N	04E	3	:								:								:					:				
08N	04E	10	:	01-16		40		03		05	:	38							:					:				
TOTAL ACRES																								170.0				

Pou County: BOISE

Dates:	App. Received:	Priority Date:	04/01/1886
	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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:06
11/26/99

PAGE: 1
GENERAL INFORMATION

17
CLAIM NUMBER: A65-06306

LAST: WEILMUNSTER
ADDRESS: PO BOX 4
CITY: GARDEN VALLEY
PHONE NUMBER: 208-462-3777

FIRST: DON K
STATE: ID ZIP: 83622

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN OFFICE PHONE: (208) 722-5817

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office exam 11-29-99

A. AJ CLAIM: # A65-06306 PRIORITY DATE: 04-01-1886 STAGE: D

B. WR RECORD: # 65-06306 PRIORITY DATE: 04-01-1886 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed in the PRBA.

=====

RECOMMENDED PRIORITY DATE:

04-01-1886
REVIEWED BY McSchulte

DATE 11-29-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-06306	08N	04E	10		SW	NW			BOISE		
A65-06306	08N	04E	10		SE	NW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-19864 65-19864

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SHILLING CREEK

TRIB: ALDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-06306	08N	04E	10		SW	NW			BOISE		
65-06306	08N	04E	10		SE	NW			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-19864 65-19864

NONE

SOURCE: SHILLING CREEK

TRIB: ALDER CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER _____ Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: *Recommended as decreed in the PRBA. The source was verified on USGS map V61*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	04E	10		SW	NW			BOISE		
08N	04E	10		SE	NW			BOISE		
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: SHILLING CREEK

TRIB: ALDER CREEK

REVIEWED BY:

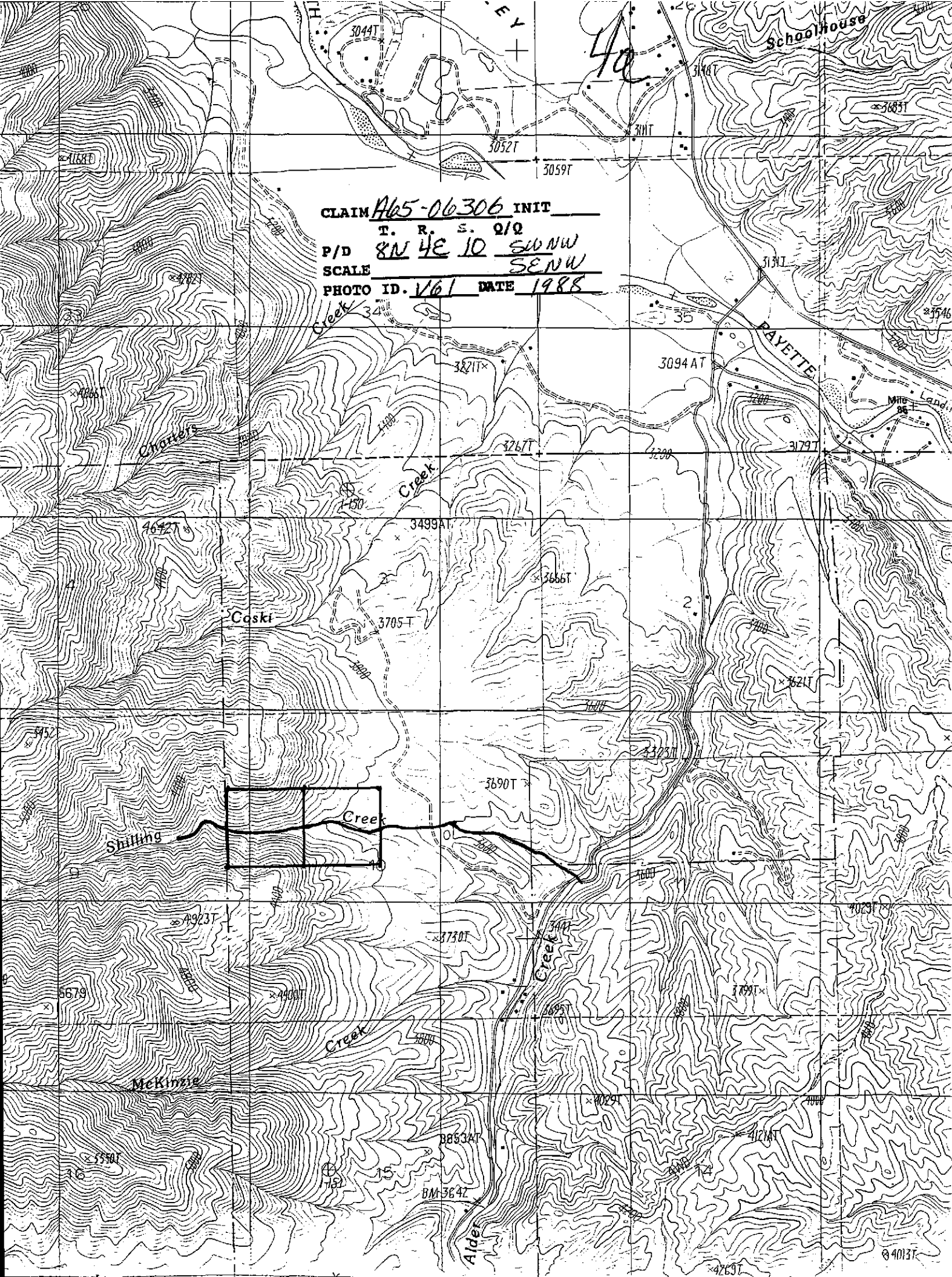
Messchulte

DATE:

11-29-99

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

CLAIM A65-06306 INIT 40
T. R. S. Q/Q
P/D 8N 4E 10 SW NW
SCALE SE NW
PHOTO ID. V61 DATE 1988



A. ROOT WATER RIGHT NUMBERS: A65-06306

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	04E	3	NE	SW		WEILMUNSTER, DON K	A65-06306 / 2.0	65-06306 / 2.0			2
08N	04E	3	SE	SW		WEILMUNSTER, DON K	A65-06306 / 29.0	65-06306 / 29.0			18
08N	04E	3	NW	SE		WEILMUNSTER, DON K	A65-06306 / 1.0	65-06306 / 1.0			1
08N	04E	3	SW	SE		WEILMUNSTER, DON K	A65-06306 / 25.0	65-06306 / 25.0			21
08N	04E	3	SE	SE		WEILMUNSTER, DON K	A65-06306 / 11.0	65-06306 / 11.0			11
08N	04E	10	NE	NE	1	WEILMUNSTER, DON K	A65-06306 / 16.0	65-06306 / 16.0			19
08N	04E	10	NW	NE		WEILMUNSTER, DON K	A65-06306 / 40.0	65-06306 / 40.0			40
08N	04E	10	SW	NE		WEILMUNSTER, DON K	A65-06306 / 3.0	65-06306 / 3.0			16
08N	04E	10	SE	NE		WEILMUNSTER, DON K	A65-06306 / 5.0	65-06306 / 5.0			11
08N	04E	10	NE	NW		WEILMUNSTER, DON K	A65-06306 / 38.0	65-06306 / 38.0			22

ADDITIONAL POU FOUND

10 SENW

9

TOTAL ACRES A65-06306

170.00

170.00

POU COUNTY: BOISE

170

5a

WESTERN REGION

OWNER (S):

Weilminster

CLAIM NUMBERS:

A65-00306

AGENT: MEL SCHULTE

DATE 11-29-99

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	8N	4E	3									2			18		1	21	11	52
			10	19	40	16	11	22			9							47		117
				41																
																				170

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS 1-3-2000

ATTRIBUTES OF B65-POU.SHP (1575) () () () ()

ATTRIBUTES OF B65-POD.SHP (1577) (1578) () () () ()

☒ B65-DBPOU.DBF UPDATED BY MTS

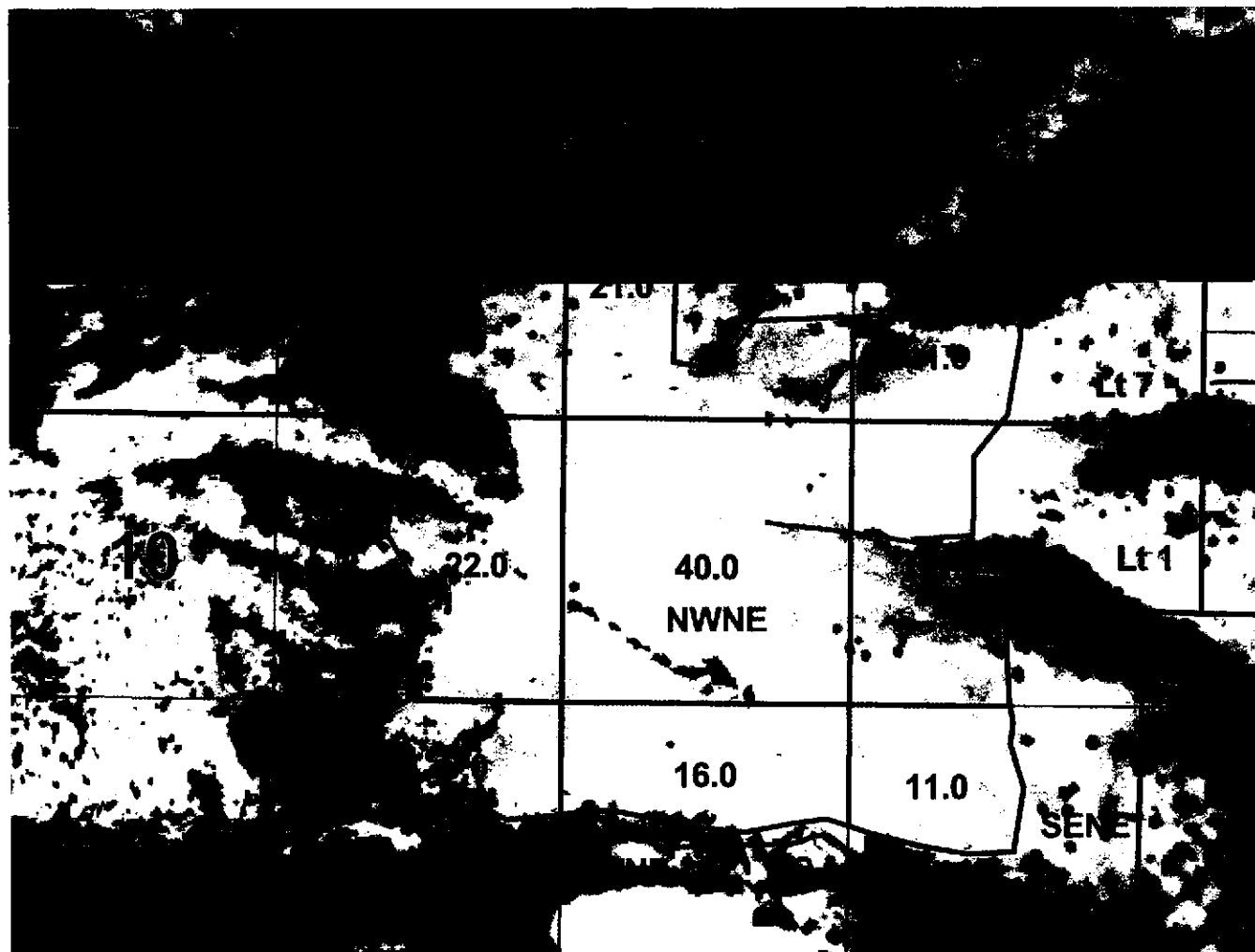
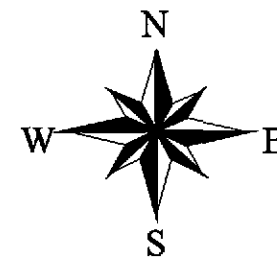
☒ B65-DBPOD.DBF UPDATED BY MTS

NOTES:

5b

IDAHO DEPARTMENT OF WATER RESOURCES

T08N, R04E, S03 & S10



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-06306

OWNER(S): WEILMUNSTER

Prepared by Mel Schulte

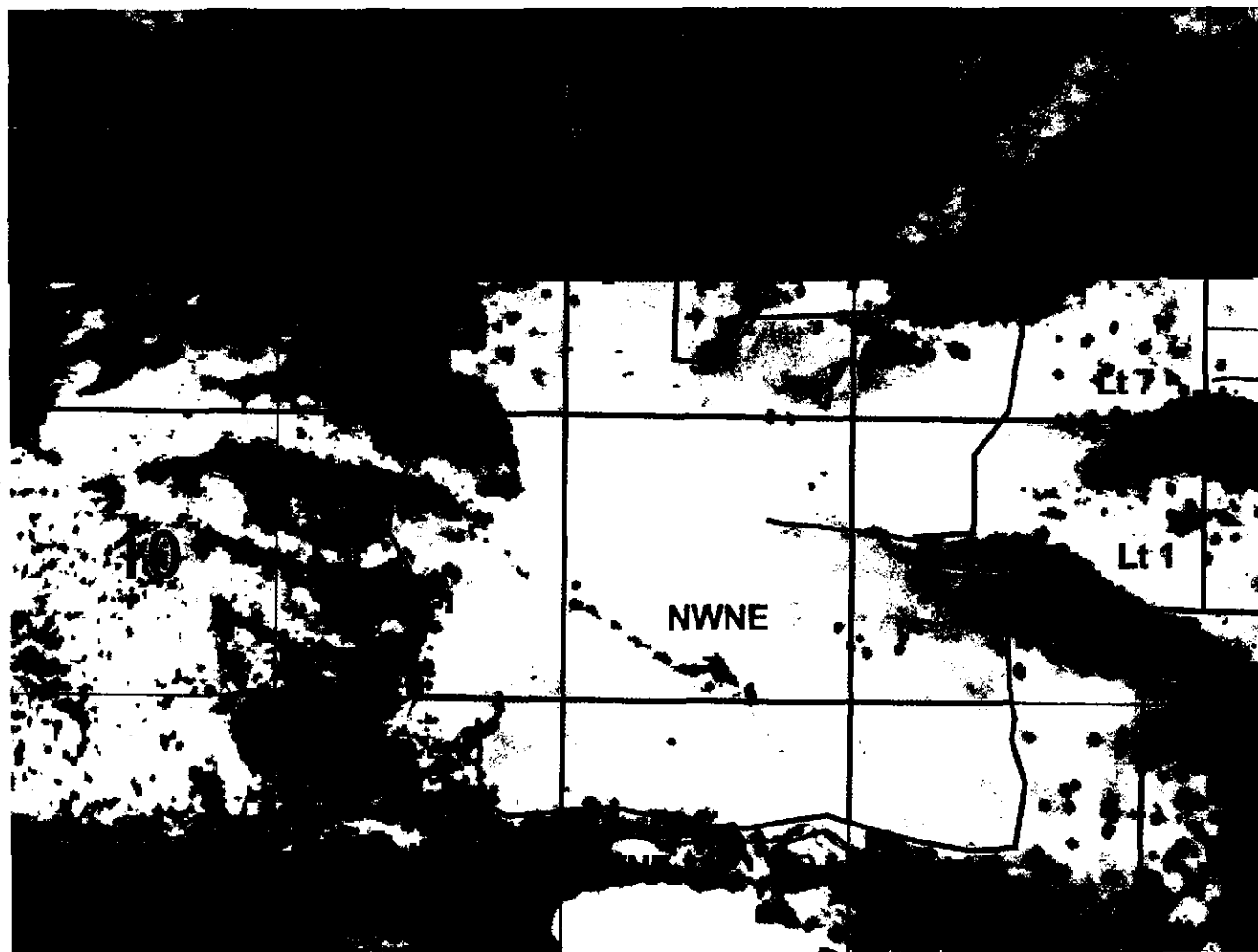
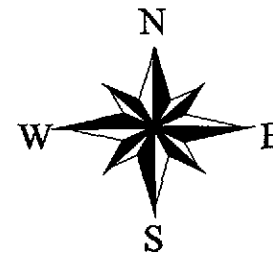
DATE: NOVEMBER 29, 1999



5c

IDAHO DEPARTMENT OF WATER RESOURCES

T08N, R04E, S03 & S10



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-06306

OWNER(S): WEILMUNSTER

Prepared by Mel Schulte

DATE: NOVEMBER 29, 1999



6

5d

A65-06306
PRBA blueprint map

-6306
(2.0)
-6306
(1.0)

29.0
-6306
(29.0)

25.0
-6306
(25.0)
11.0
-6306
(11.0)

38.0
-6306
(38.0)

41.0
-6306
(41.0)
16.0
-6306
(16.0)

-6306
(3.0)
3.0

-6306
(5.0)
5.0

SHILLING

AREA WITH NO
TREES

UNFEK

ALDER CR

65-2015
Mc KINRIE CR.

65-2015
(1.0)

65-10864

CLAIM A65-06306 5e
T. R. S. Q/Q
P/D 8N 4E 10 SWNW
SCALE PRBA map SENU
PHOTO ID. ASCS DATE 1964

3 2
10 11

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y(☒) N(☐)

* IF YES, ARE THESE TRACTS LISTED ABOVE (☒) , OR ARE THEY LISTED ON AN ATTACHED SHEET (☐)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☐) N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() ^{GIS} NAPP, IDWR NO. _____; () ^{PRBA map} ASCS PHOTO; () OTHER _____

NOTES:

The irrigation system described on PRBA maps and the fields displayed on GIS maps indicate the POU to be different than that claimed and previously decreed. The difference adds irrigation in the SE NW, S10 and changes the number of acres actually irrigated in several other QAD. This recommendation recognizes these changes but does not increase the number of acres in the right.

RECOMMENDATIONS:

TOTAL ACRES: 170 N/A()

REVIEWED BY: Mel Schulte

DATE: 11-30-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-06306 IRRIGATION	FROM 04-01 TO 11-01	3.400 CFS	
TOTAL DIVERSION RATE/VOLUME		3.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-06306 IRRIGATION	FROM 04-01 TO 11-01	3.400 CFS	
TOTAL DIVERSION RATE/VOLUME		3.400 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 3.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.400 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 170 x 0.02 CFS/ACRE = 3.40 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = NA AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

PAGE: 11
DIVERSION AMOUNT REVIEW SHEET CONTINUED

27
CLAIM NUMBER: A65-06306

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE 3.400	EXAMINER _____	DATABASE	EXAMINER NA	DATABASE 0.0	EXAMINER NA
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			3.400	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Mel Schulte DATE: 11-30-99.

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-06306

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 3.400	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-06306	3.400	-		65-06306	3.400
TOTAL CFS		3.400				3.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Mel Schutte DATE: 11-30-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: A65-02191

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02191

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
08N	04E	3	NW	NE	2	WEILMUNSTER, DON K	A65-02191 /01/ 6.0	65-02191 /01/ 6.0	
08N	04E	3	SW	NE		WEILMUNSTER, DON K	A65-02191 /01/ 7.0	65-02191 /01/ 7.0	
TOTAL ACRES						A65-02191	13.00	13.00	

POU COUNTY: BOISE

A. ROOT WATER RIGHT NUMBERS: A65-06306

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
08N	04E	3	NE	SW		WEILMUNSTER, DON K	A65-06306 /01/ 2.0	65-06306 /01/ 2.0	
08N	04E	3	SE	SW		WEILMUNSTER, DON K	A65-06306 /01/29.0	65-06306 /01/29.0	
08N	04E	3	NW	SE		WEILMUNSTER, DON K	A65-06306 /01/ 1.0	65-06306 /01/ 1.0	
08N	04E	3	SW	SE		WEILMUNSTER, DON K	A65-06306 /01/25.0	65-06306 /01/25.0	
08N	04E	3	SE	SE		WEILMUNSTER, DON K	A65-06306 /01/11.0	65-06306 /01/11.0	
08N	04E	10	NE	NE	1	WEILMUNSTER, DON K	A65-06306 /01/16.0	65-06306 /01/16.0	
08N	04E	10	NW	NE		WEILMUNSTER, DON K	A65-06306 /01/40.0	65-06306 /01/40.0	
08N	04E	10	SW	NE		WEILMUNSTER, DON K	A65-06306 /01/ 3.0	65-06306 /01/ 3.0	
08N	04E	10	SE	NE		WEILMUNSTER, DON K	A65-06306 /01/ 5.0	65-06306 /01/ 5.0	
08N	04E	10	NE	NW		WEILMUNSTER, DON K	A65-06306 /01/38.0	65-06306 /01/38.0	
TOTAL ACRES						A65-06306	170.00	170.00	

POU COUNTY: BOISE

A65-06306

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 330

INDICATES TOTAL

SOURCE: SHELLABERGER CREEK

TRIBUTARY TO: SOUTH FORK, PAYETTE RIVER

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
65-8636	HOLZINGER, WILLIAM G. & HOLZINGER, EVELYN 2020 NORTH 31ST STREET, BOISE, IDAHO 83703 REMARKS: H.E.S. 178.	3/30/1932	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESE S27 1 9N R 8E	SESE S27 T 9N R 8E	BENEFICIAL USE

INDICATES TOTAL

SOURCE: SHILLING CREEK

TRIBUTARY TO: ALDER CREEK

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
65-6306	WEILMUNSTER, DON K. P. O. BOX 3, MONTGOMERY, IDAHO 83646	4/ 1/1886	IRRIGATION	4/ 1 11/ 1	--- AFA 3.40 CFS	SWNW S10 T 8N R 4E SENE S10 T 8N R 4E	SWNE(3) SENE(5) NENW(38) NWNE(40) LOT 1(16) S10 T 8N R 4E NENW(2) SENE(29) NWSE(1) SWSE(25) SESE(11) S 3 T 8N R 4E *170*	BENEFICIAL USE

INDICATES TOTAL

SOURCE: SHIRTS LAKE

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
65-3110	ALLEN, EVERETT K. & ALLEN, MARY R. CASCADE, IDAHO 81611 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3109 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE NOR 3.0 AFA/ACRE.	8/ 1/1931	IRRIGATION FROM STGR	4/15 10/15	100.00 AFA --- CFS	NESE S10 T13N R 3E	SWSW(17) SESW(9) S 2 T13N R 3E NWNE(10) SWNE(20) NWNW(39) SWNW(33) SENE(38) NENW(39) NENW(24) SWSW(11) SESW(39) NESE(37) NWSE(37) S11 T13N R 3E *353*	DECREE

STOCKWATER 1/ 1 12/31
FROM STGR12.00 AFA
--- CFS
*100.00*AFA
*---*CFS

SAME AS OTHER USE

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.

MAP NO.

65-6306

DOSE

Notice is hereby given that Don K. Weilmunster

(Name of Claimant)

Route #2 Parma, Idaho 83660

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or ground water, 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)

4/1/1886

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

Shilling Creek

TR 18 To Rose Cr.

- (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)

Irrigation

Period of Use From

4/1

To

11/1

(Domestic, irrigation, stock, etc.)

(Mo., Day) (Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Mo., Day)

(Both Dates Inclusive)

- (4) Quantity of water claimed: 3.40 Cubic Feet Per Second, or Acre Feet Per Annum, and/or Gals. Per Minute.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source. SW 1/4 NW 1/4 Sec. 10, T 8 N, R 4 E

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.

Diversion dam, ditch and pump

- (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
8N	4E	10	16.44	2.94	4.73	0.00	24.11
8N	4E	3	1.00	0.00	0.00	0.00	1.00
							17.11

Total No. of acres 25.11

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

- (7) Effluent, sewage waste, or return water from this use is discharged into

Shilling Creek

- (8) If you are claiming water as a member of an organization, list name of organization:

- (9) Remarks

8N, 4E, Map A, Parcel #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 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.

Individual

March 27, 1973
(Date)

Don K. Weilmunster
(Signature of Claimant)

Organization

4-7-78
(Signature of Agent)

State of Idaho

Organization

County of Ada

(Signature of Authorized Agent)

On this 27th day of March, in the year 1973, before me,
a notary public, personally appeared Don K. Weilmunster
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 executed the same.

Notary Public residing

My commission expires May 26, 1974

3/16/78