

T13N
T12N



Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken Aug. 10, 1975

Projection and 10,000-foot grid ticks: Idaho coordinate

MICROFILMED

SEP 28 1992

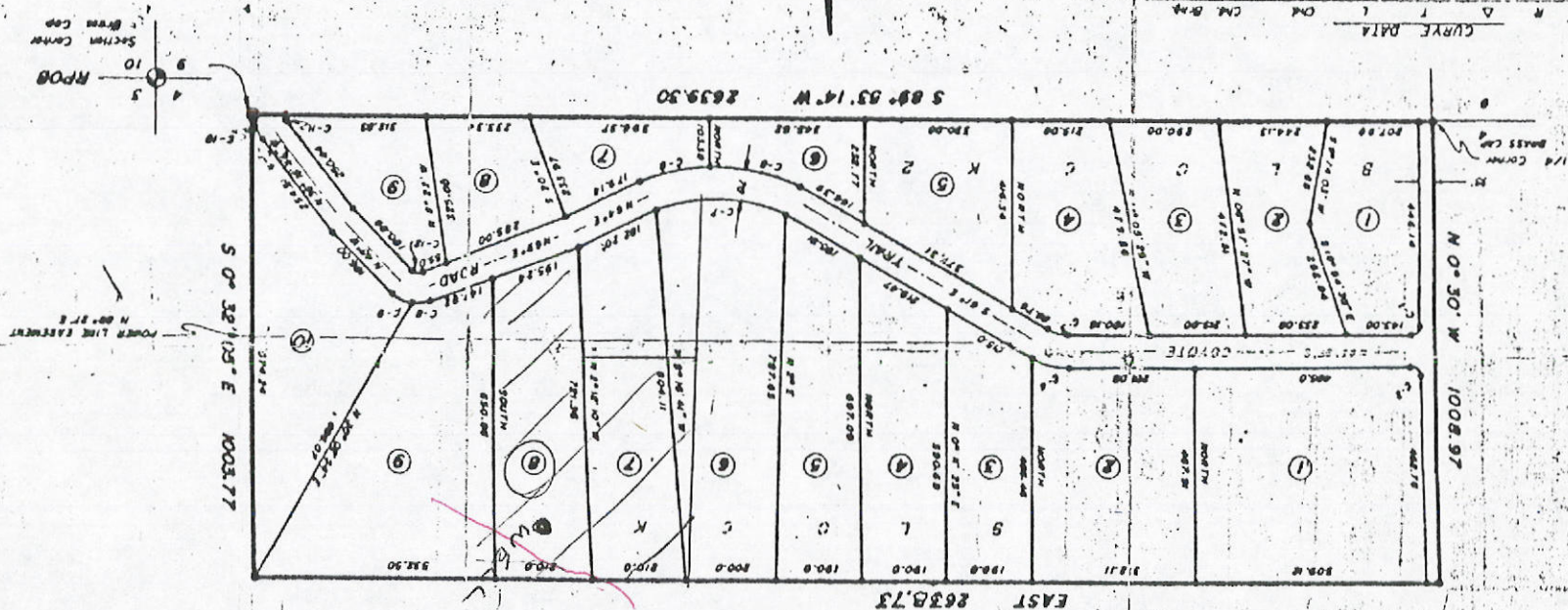
CLEAR CREEK ACRES

SITUATED IN THE SE 1/4
OF SEC. 4, T12N, R4E,
B.M., VALLEY COUNTY, IDA.

FRIENDS SURVEYING

FRIENDS'S SURVEYING

MOON VALLEY TITLE CO.
BOX 758
CASCADE, IDAHO 83611
PH. 362-4207

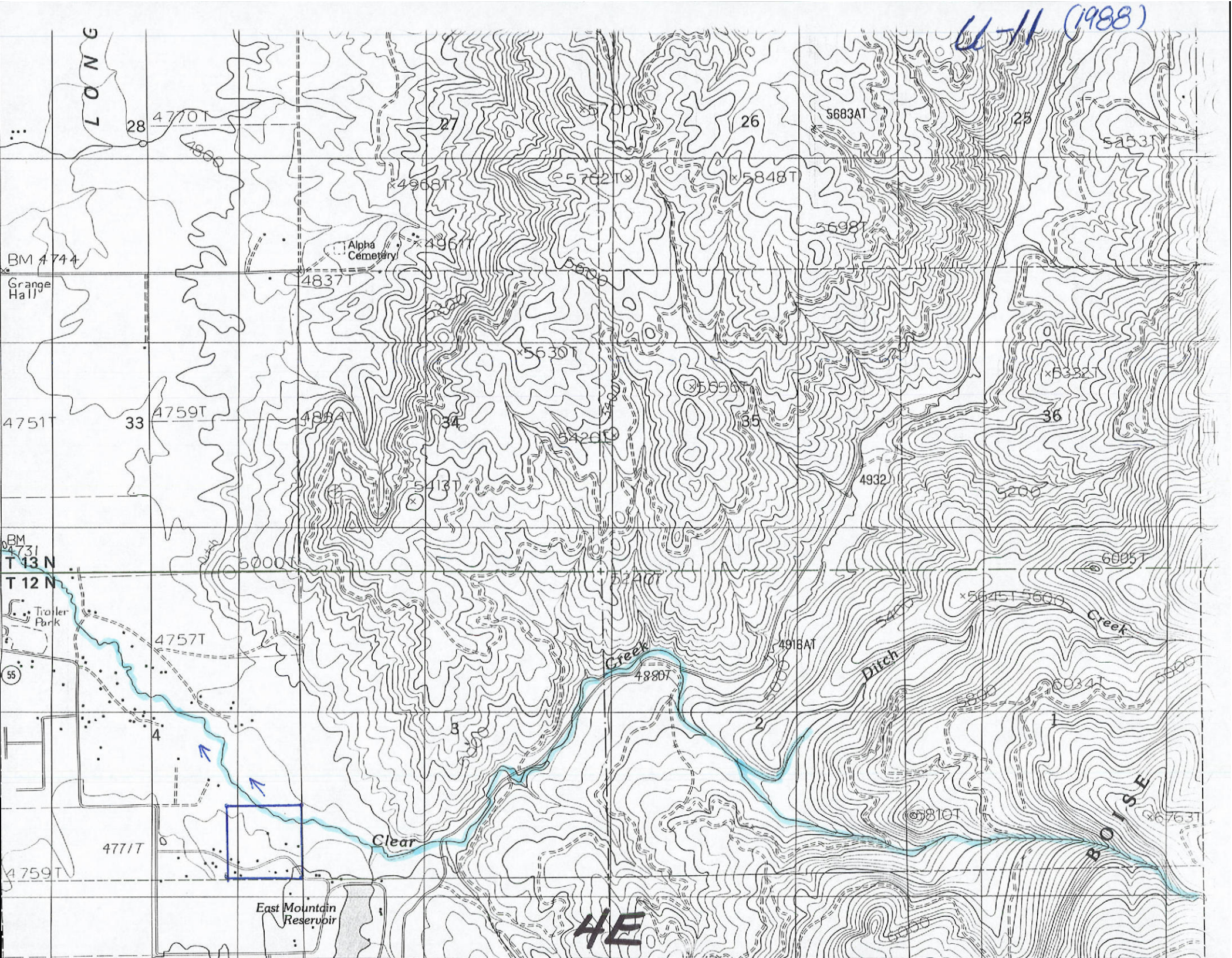
[illegible]

MICROFILMED

SEP 28 1992

9261

6-11 (1988)



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: A65-17747
Date Received: 11/23/1988
Receipt No: W001523
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT J. HELZER 208-459-4360
Address: RT. 3, BOX 47
CALDWELL, ID 83605
OR
Name: EDILMA R. HELZER 208-459-4360
Address: RT. 3, BOX 47
CALDWELL, ID 83605

2. Date of Priority: MAY 31, 1979

3. Source: CLEAR CREEK Trib. to: PAYETTE, N.F.

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
12N	04E	4	SE	SE	VALLEY
Ending Point of Minimum Instream Flow					
12N	04E	4	SE	SE	VALLEY

5. Description of diverting works:
NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/01	11/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSREAM STOCKWATERING
A65-17747

Page 1

Date: 11/23/88

MICROFILMED
SEP 28 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04E	4	SE	SE		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
INSREAM STOCKWATERING, 3 TO 5 HORSES.

15. Basis of Claim: BENEFICIAL USE

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: 2

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): Albert J. Kiger Date: 11-23-1988
Date: _____

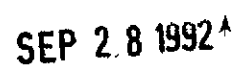
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of November 19 88
Jan Shulte
Notary Public

Seal.

Residing at Meridian ID
My Commission Expires 9-14-94

12N

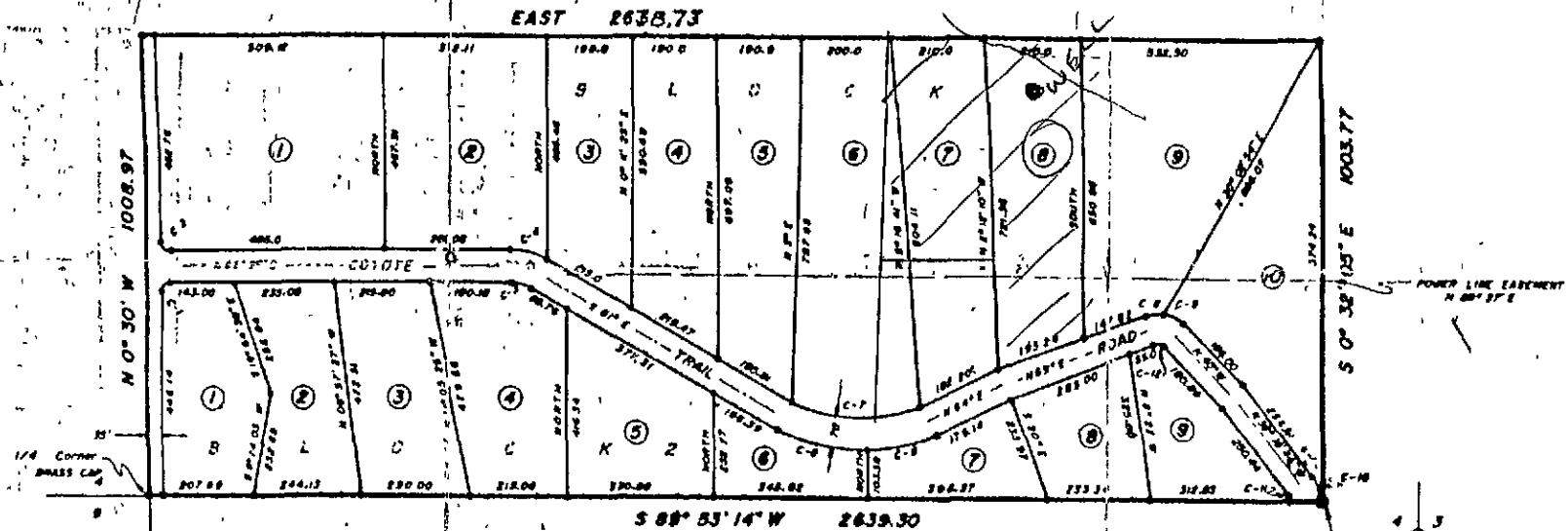


CLEAR CREEK ACRES

FRIEND'S SURVEYING

SITUATED IN THE SE 1/4
OF SEC 4, T12N, R4E,
B.M., VALLEY COUNTY, IDA.

MCNULTY FILE CO.
BOX 27
CASCADE, IDAHO 83611
PH. 362-2207

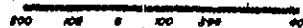


CURVE DATA						
C	R	Δ	T	L	CND	CND. BRNG.
1	50	40° 57'	10.98	2.02	24.27	N 44° 18' 30" E
2	50	40° 06'	20.06	4.13	5.00	S 88° 30' 30" E
3	100	39° 53'	28.37	6.67	34.08	S 73° 48' 30" E
4	170	39° 53'	44.94	9.08	66.71	S 73° 48' 30" E
5	303	34° 01'	104.77	20.38	208.77	S 78° 30' E
6	300	34° 01'	151.27	30.53	305.09	N 74° 01' E
7	30	54° 01'	15.93	3.04	34.00	N 74° 01' 00" E
8	30	53° 01'	26.60	5.14	54.00	N 74° 01' 00" E
9	30	53° 01'	33.60	5.94	64.17	S 88° 30' 00" E
10	30	53° 00' 30"	30.70	5.35	60.27	S 88° 30' 30" E
11	20	34° 11' 33"	8.54	1.67	16.46	S 88° 01' 00" E
12	50	00° 01' 52"	12.28	2.34	21.70	S 73° 00' 00" E



10 FOOT UTILITY EASEMENT PROVIDED ON ALL EXTERIOR
LOT LINES AND ROAD FRONTAGE.
10 FOOT UTILITY EASEMENT CENTERED ON ALL INTERIOR
LOT LINES.

SCALE



MICROFILMED

1976

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

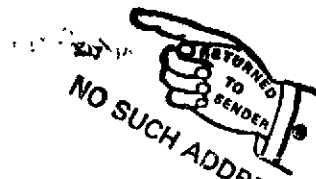


RECEIVED

OCT 01 1999

WATER RESOURCES
WESTERN REGION

65-17747



ALBERT J HELZER
EDILMA R HELZER
RT 3 BOX 47
CALDWELL

ID 83605

NA
h

11855 Marble Front Rd
Caldwell, 83605

Re-sent to new address (per phone book) 10/4/99

AJ0749NP
No. R65-17747

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

DATE: 05/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT J HELZER	05/31/1979	STOCKWATER	05-01 11-30	0.02 CFS	
C	EDILMA R HELZER					
	RT 3 BOX 47					
	CALDWELL ID 83605					
	(208) 459-4360					
				TOTAL DIVERSION:	0.02 CFS	

Water Source: CLEAR CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12N R04E S04

NESESE

VALLEY County

Point(s) of Ending Stream Reach: T12N R04E S04

NWSESE

VALLEY County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
12N	04E	4	:																	:
			:																	:

POU County: VALLEY

Other Rights: NONE

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.

Remarks: EXP STOCKWATER, 3 TO 5 HORSES
PARCEL NO. RP 000630010080 A

Dates: Exam Made Date: Verified Date: 05/24/1999 Objection Filed Date:

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

Comments: Date: 03/18/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
INSREAM STOCKWATERING, 3 TO 5 HORSES

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

AJ0749NP
No. R65-17747

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

DATE: 05/24/99
PAGE: 2

=====

Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Date: 05/24/1999 User-ID: KWALKER Subject: RECOMMENDATION
CAN ALLOW INSTREAM STOCKWATER BACK IN PAYETTE RIVER DECREE SINCE
THIS USE WAS NOT INCLUDED IN PRBA.

Audit: 05/24/99 KWALKER

AJ0749NP
No. R65-17747

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

DATE: 10/20/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT J HELZER	05/31/1979	STOCKWATER	05-01 11-30	0.02 CFS	0.02 CFS
C	EDILMA R HELZER					
	RT 3 BOX 47					
	CALDWELL ID 83605					
	(208) 459-4360					

TOTAL DIVERSION: 0.02 CFS

Water Source: CLEAR CREEK

Tributary to: PAYETTE, N.F.

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12N R04E S04
Point(s) of Ending Stream Reach: T12N R04E S04

NE SESE
NW SESE

VALLEY County
VALLEY County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE						
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
12N	04E	4																

POU County: VALLEY

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-17745 A65-17747 R65-17745

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- N12 - DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 3 TO 5 HORSES
RP 000630010080 A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

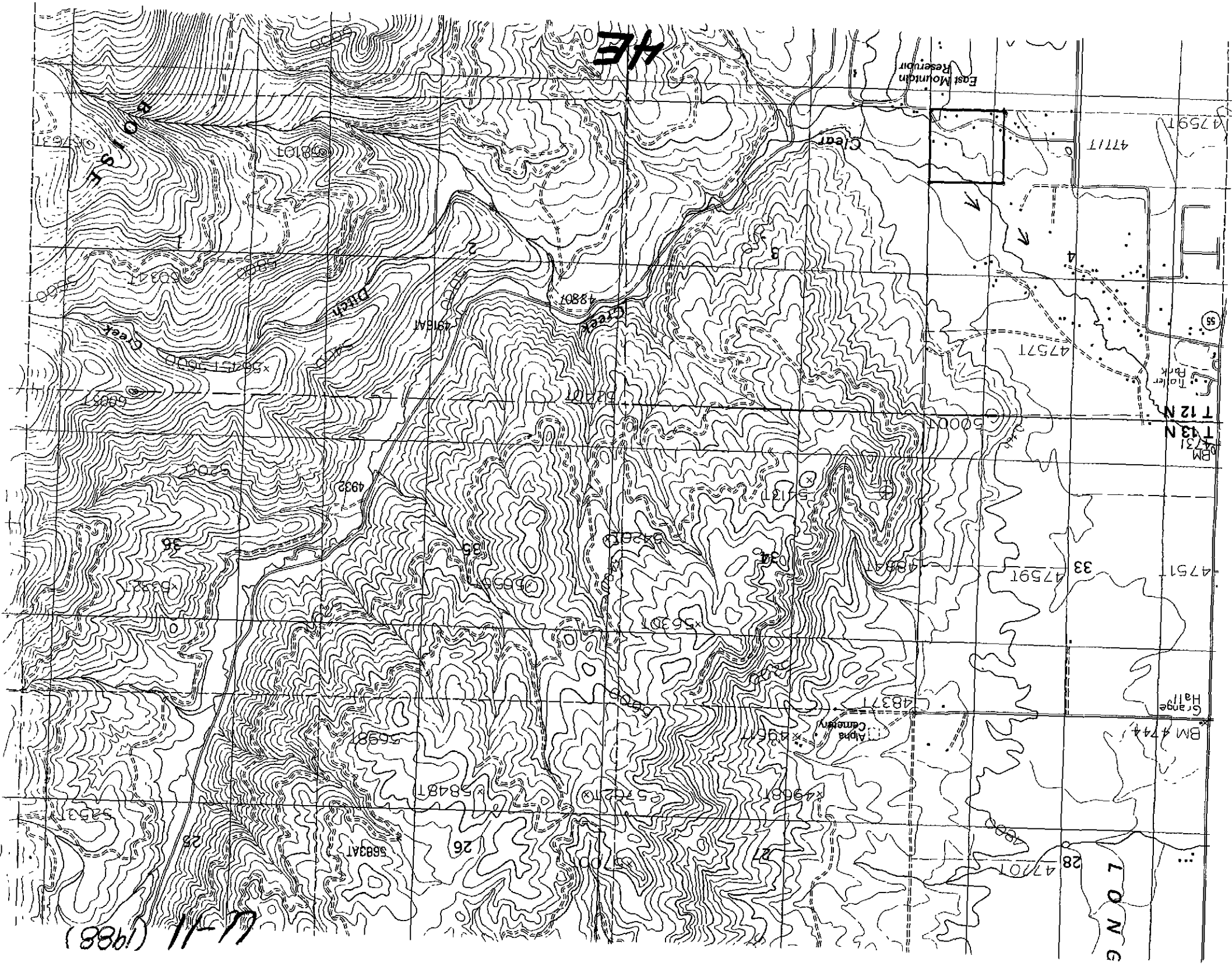
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/18/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
INSREAM STOCKWATERING, 3 TO 5 HORSES

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

Hold - Surface water
after 1971 - OK -
instream stock
not included
in PRBA -
kw
5/24/99



4E

East Mountain Reservoir

Clear Creek

Ditch

Creek

Toller Park

Alpha Cemetery

U-11 (1988)

LONG

CLO (9) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-459-4560

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +
PAYETTE, N.E.

STREAM INDEX (BLANK IF NO INDEX CODE)

4.020

(85) VALLEY

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A65-17747

PREFIX TRANSLATION: ADJUDICATION CLAIM

CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

DECREE PLAINTIFF -----

DECREE DEFENDANT -----

DECREE DATE -----
00/00/0000

AUDIT FIELDS - 11/23/88 HOWERTON 10/10/89 REFUNDML

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA -----

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 11/23/1988
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - W001523
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - DR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

RP 000630010080A
DATA ENTRY

ENTERED

CHECKED

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
DWR Records

VERIFIED

JUL 26 1992

CERTIFIED

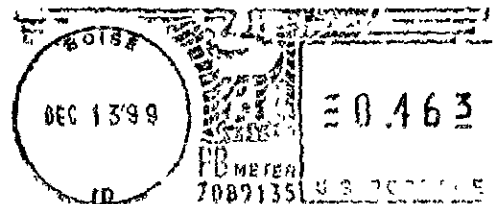
FEB 27 1993

WATER EXAMINER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE
REQUESTED
NO SUCH ADDRESS

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

65-17747
ALBERT J HELZER
EDILMA R HELZER
RT 3 BOX 47
CALDWELL ID 83605

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DEC 16 1999

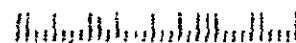
Department of Water Resources

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DEC 21 1999

WATER RESOURCES
WESTERN REGION

AUTO 83605





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-17747

ALBERT J HELZER

EDILMA R HELZER

RT 3 BOX 47

CALDWELL ID 83605

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

Dear Water Right Claimant(s):

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

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

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

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

Sincerely,

Karl J. Dreher
Director

Enclosures

RIGHT NUMBER:	65-17747		
NAME AND ADDRESS:	ALBERT J HELZER EDILMA R HELZER RT 3 BOX 47 CALDWELL ID 83605		
SOURCE:	CLEAR CREEK	TRIBUTARY: PAYETTE RIVER, NORTH FORK	
QUANTITY:	0.02 CFS		
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.			
PRIORITY-DATE:	05/31/1979		
POINT OF DIVERSION	T12N R04E S04	NESESE (B) NWSESE (E)	Within VALLEY County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER	PERIOD OF USE 05-01 11-30	QUANTITY 0 02 CFS
PLACE OF USE	STOCKWATER T12N R04E S04	Within VALLEY County SESE	
OTHER MATTERS 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 - BENEFICIAL USE STOCKWATER, 3 TO 5 HORSES PARCEL NO. RP 000630010080 A		