

Newdale, Idaho
Feb. 23, 2004

State of Idaho
Department of Water
900 Skyline Drive
Idaho Falls, Idaho 83402-1718

RECEIVED

FEB 27 2004

Department of Water Resources
Eastern Region

Dear Sirs:

In response to your request for evidence of priority for SRBA water right claim 22-11044 I am submitting the following:

1. A notarized statement as to when we built the home and occupied it.
2. Copies of the well log. The location shows section 5. The correct section is 3 as shown by other correspondence.
2. Copies of the well drillers invoices. (There are two of them because after the first charge was made, the well had fallen in below the casing and they had to install a smaller casing and go deeper with it). They are dated Sept. 6, 1977 and Nov. 2, 1977,

If further information is needed please contact me. My telephone number is 208-458-4328.



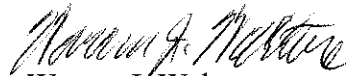
Warren Walters
PO Box 127
Newdale, ID 83436

Newdale, Idaho 83436

Feb. 23, 2004

To Whom It May Concern:

I, Warren Walters, hereby state that my family has occupied the home at 8395 Highway 33, Newdale, Idaho since February 1978. The domestic well under permit A22-11044 was drilled in September 1977 and started being used by the builders soon after. The yard was planted the following summer. We have lived in the home and maintained the yard since then.



Warren J. Walters

8395 E. Highway 33

Newdale, Idaho 83436

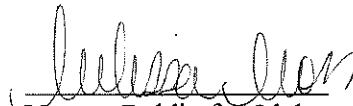
STATE OF IDAHO)

) ss.

County of Madison)

On the 24 day of February, in the year of 2004, Before me personally appeared WARREN J. WALTERS, known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that he executed the same.

MELISSA MOSS
NOTARY PUBLIC
STATE OF IDAHO



Notary Public for Idaho

Residing at Idaho Falls, Idaho

My commission expires: 5-23-09

HOPKINS BROTHERS WELL DRILLING

WELL LOG

OWNER WARREN WALTERS DRILLER WIA

ADDRESS Newdale, Idaho

DATE STARTED 9-1-77 DATE COMPLETED 9-6-77 RIG 206

LOCATION:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC. S, TWP 6 (N/S) RANGE 41 (E/W)

Madison COUNTY

STATIC WATER LEVEL AT 186 FT DEPTH WATER STRUCK 260 FT WATER TEMP. 83

INDICATED WATER FORMATIONS AND DEPTH

CASING RECORD:

SURFACE CASING		LINERS AND REDUCTIONS	
SIZE	LENGTH	#1 SIZE	#2 SIZE
<u>6" 4"</u>	<u>147 252</u>		
FROM <u>+1 1/2</u> TO <u>145 1/2</u>	FROM _____ TO _____	FROM _____ TO _____	FROM _____ TO _____

WELL TEST

COMPANY _____ DATE _____ INCHES PUMPED _____ DRAW DOWN _____

REMARKS

DRILLER'S SIGNATURE _____

TOTAL DEPTH 328

OWNER'S SIGNATURE _____

50 LBS. BENTONITE

0-4 Soil

4-47 GRAY LAUA

47-55 Red Sandstone

55-87 GRAY LAUA

87-102 BLACK Sandstone

102-122 BLACK LAUA + SAND

122-142 CLAY + GRAVEL

142-190 GRAY LAUA

190-222 Red Sandstone

222-262 Grey Welded tuft

262-328 Broken Brown Tuft

Some caving

Caving

{ Caving won't stand up }
Reamed hole to 8" and set 6" pipe
drilling big hole

Water @ 260

Water formation to 328

HOPKINS BROTHERS

WELL DRILLING CONTRACTORS
CULINARY — IRRIGATION — MUNICIPAL



Date Sept 6, 1977

GLENN HOPKINS
356-6477

Route 3
Rexburg, Idaho 83440

MR. Warren Walters
#6 S. First E.
Spindale, Idaho

328 ft. of 8 1/2 in. Drilled Hole @ \$ 9.00 per ft.	2,952.00	
147 ft. of 6 in. Casing @ \$ 6.00 per ft.	882.00	
ft. of in. Casing @ \$ - per ft.		
1-6 in. Casing Shoe @ \$ 40.00	40.00	
in. Casing Shoe @ \$		
hrs. Perforating @ \$ per hr.		
hrs. Hourly Work @ \$ per hr.		
50 lbs. Bentonite Seal @ .05	1.50	
3 % Sales Tax on Materials	27.74	
TOTAL \$ 3,904.24		

Our FINANCE CHARGE on past due accounts is 1% per month, which is 12% ANNUAL PERCENTAGE RATE.

HOPKINS BROTHERS

WELL DRILLING CONTRACTORS
CULINARY — IRRIGATION — MUNICIPAL



Date Nov. 2, 1977

GLENN HOPKINS
356-6477

Route 3
Rexburg, Idaho 83440

MR. Warren Walters
#6 S. First E
Newdale, Idaho

ft. of in. Drilled Hole @ \$	per ft.	
252 ft. of 4 in. Casing @ \$5.50 per ft.	1386.00	
ft. of in. Casing @ \$ per ft.	25.00	
1 4 in. Casing Shoe @ \$25.00		
in. Casing Shoe @ \$		
hrs. Perforating @ \$ per hr.		
hrs. Hourly Work @ \$ per hr.		
lbs. Bentonite Seal @		
3 % Sales Tax on Materials	42.33	
TOTAL \$ 1,453.33		

Our FINANCE CHARGE on past due accounts is 1% per month, which is 12% ANNUAL PERCENTAGE RATE.

Form 238-7
4/95
DMD

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

62129

Office Use Only
Inspected by _____
Twp. _____ Rge. _____ Sec. _____
1/4 _____ 1/4 _____ 1/4 _____
Lat. : : Long. : :
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

1. DRILLING PERMIT NO. 22-97-E-0117-000
Other IDWR No. D0004276

2. OWNER:
Name Warren Walters
Address P.O. Box 127
City Murdere State ID Zip 83436

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W E S
Twp. 6 North 4 or South ☐
Rge. 41 East 2 or West ☐
Sec. 5 NE 1/4 NW 1/4 1/4
Gov't Lot _____ County Madison 10 acres 40 acres 160 acres
Lat. : : Long. : :
Address of Well Site _____ City _____
(Give at least name of road + Distance to Road or Landmark)
Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	260	46 bags	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 260
Was drive shoe seal tested? ☒ Y ☐ N How? Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6"</u>	<u>+1 1/2</u>	<u>260</u>	<u>125</u>	<u>Pipe</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

202 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water	
				Y	N
<u>10"</u>	<u>0</u>	<u>5</u>	<u>Dir</u>		☒
<u>10"</u>	<u>5</u>	<u>46</u>	<u>Black Riolite</u>		☒
<u>10"</u>	<u>46</u>	<u>53</u>	<u>Red Sandstone</u>		☒
<u>10"</u>	<u>53</u>	<u>86</u>	<u>Brown Riolite</u>		☒
<u>10"</u>	<u>86</u>	<u>125</u>	<u>Cemented Gravel</u>		☒
<u>10"</u>	<u>125</u>	<u>140</u>	<u>Red Sandstone</u>		☒
<u>10"</u>	<u>140</u>	<u>200</u>	<u>Brown Riolite</u>		☒
<u>8"</u>	<u>200</u>	<u>240</u>	<u>Brownish Red Sandstone</u>		☒
<u>8"</u>	<u>240</u>	<u>250</u>	<u>Quartz Riolite</u>		☒
<u>8"</u>	<u>250</u>	<u>260</u>	<u>Quartz Riolite</u>		☒
<u>6"</u>	<u>260</u>	<u>305</u>	<u>Red, Black Riolite</u>		☒

RECEIVED
NOV 03 1997
Department of Water Resources
Eastern Region

RECEIVED
NOV 10 1997
Department of Water Resources

Completed Depth 305 (Measurable)
Date Started 10/17/97 Completed 10/28/97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Vollmer Well Drilling Firm No. 383
Firm Official Russell Hall Date 10/31/97
and
Supervisor or Operator Joe Vollmer Date 10/31/97
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

February 18, 2004

**WARREN J WALTERS
PO BOX 127
NEWDALE ID 83436**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11044

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of September 1, 1977, from a well.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date **within 30 days of the date of this letter, referencing all documents with the corresponding claim number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)