



irrigative well
SESESW.
T4N
T3N

attachment to
A63-18986



MIDDLETON, IDAHO
N4337.5-W11630/7.5
1981

MICROFILMED
SEP 01 1992

Idaho Department of Water Resources

S31

**T04N, R01W,
S31**

Claim No: 63-18986

Prepared By: Kimberly Brown

Date: December 27, 2004



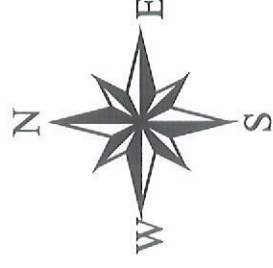
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

Acres Irrigated = 47.0



1987 NAPP

0.09 0 0.09 0.18 Miles





Land Records

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General Information

Property Acres: 49.300
Zone Code: RR
Primary Code Area: 73 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 31
Section: 4N1W31

Property Description

PAR #6600 OF SW4
 SEC 31 4N 1W
 #312300-R
 #95090800

Property Address
 8998 W USTICK RD
 NAMPA, ID 83687



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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	47.000	\$68,700	INCOME
Primary	190-WASTE LAND	1.300	\$0	INCOME
Primary	100-HOMESITE ON AG	1.000	\$61,100	MARKET
Primary	310-RES IMPROVEMENT	0.000	\$55,400	COST
Primary	320-IMPROVEMENT	0.000	\$5,000	COST

Total Assessed Value: \$190,200

Parcel Valuation History

Assessed value for year 2004 \$190,200
Assessed value for year 2003 \$184,500
Assessed value for year 2002 \$179,200
Assessed value for year 2001 \$175,600
Assessed value for year 2000 \$151,800

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Property Characteristics

Residential
 Agriculture
 Land

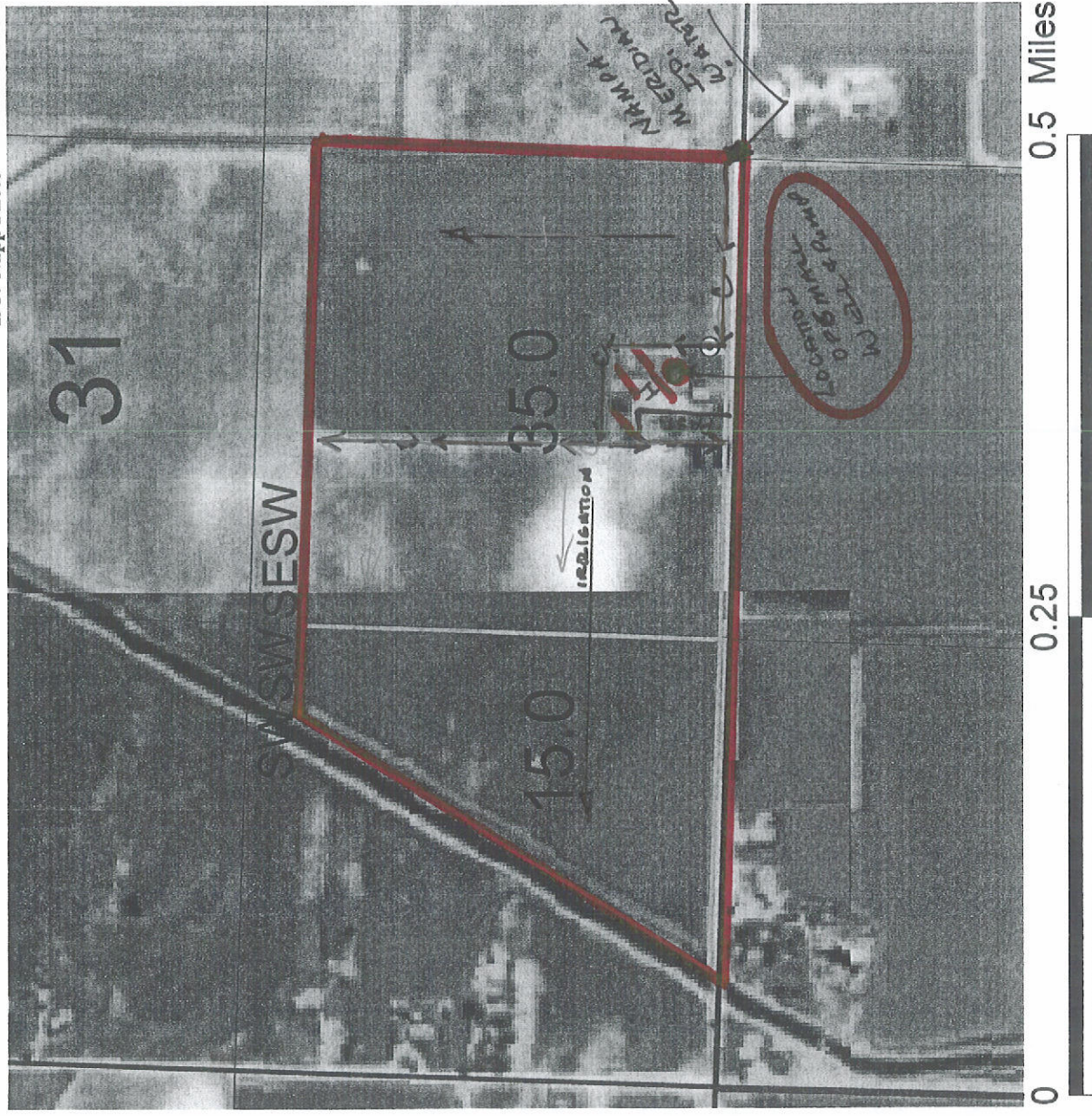
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Idaho Department of Water Resources

Claim Number: 63-18986
Legal: T4N, R1W, S31
Reviewed By:

1987 Napp Photo

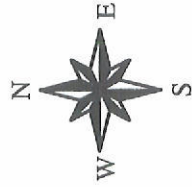


⊙ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



63-18986



Well located East of garage



63-18986

Photo 175280a



63-18986

Photo 175280b



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: A63-18986
Date Received: 9/19/1989
Receipt No: CO11675
Received By: RAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OPAL VIESELMAYER 208-466-6077
Address: P.O. BOX 954
NAMPA, ID 83653

AND/OR

Name: E. H. VIESELMAYER 208-466-6077
Address: P.O. BOX 954
NAMPA, ID 83653

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	31	SE	SE	SW		ADA

5. Description of diverting works:
WELL, 35' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	31	SW	SW		IRR	17.0
			SE	SW		IRR	33.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NAMPA-MERIDIAN IRRIGATION DISTRICT

14. Remarks:
THIS WATER IS USED TO SUPPLEMENT THE CANAL WATER.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Opal Churchillmeyer Date: X 9-19-89
Date: _____

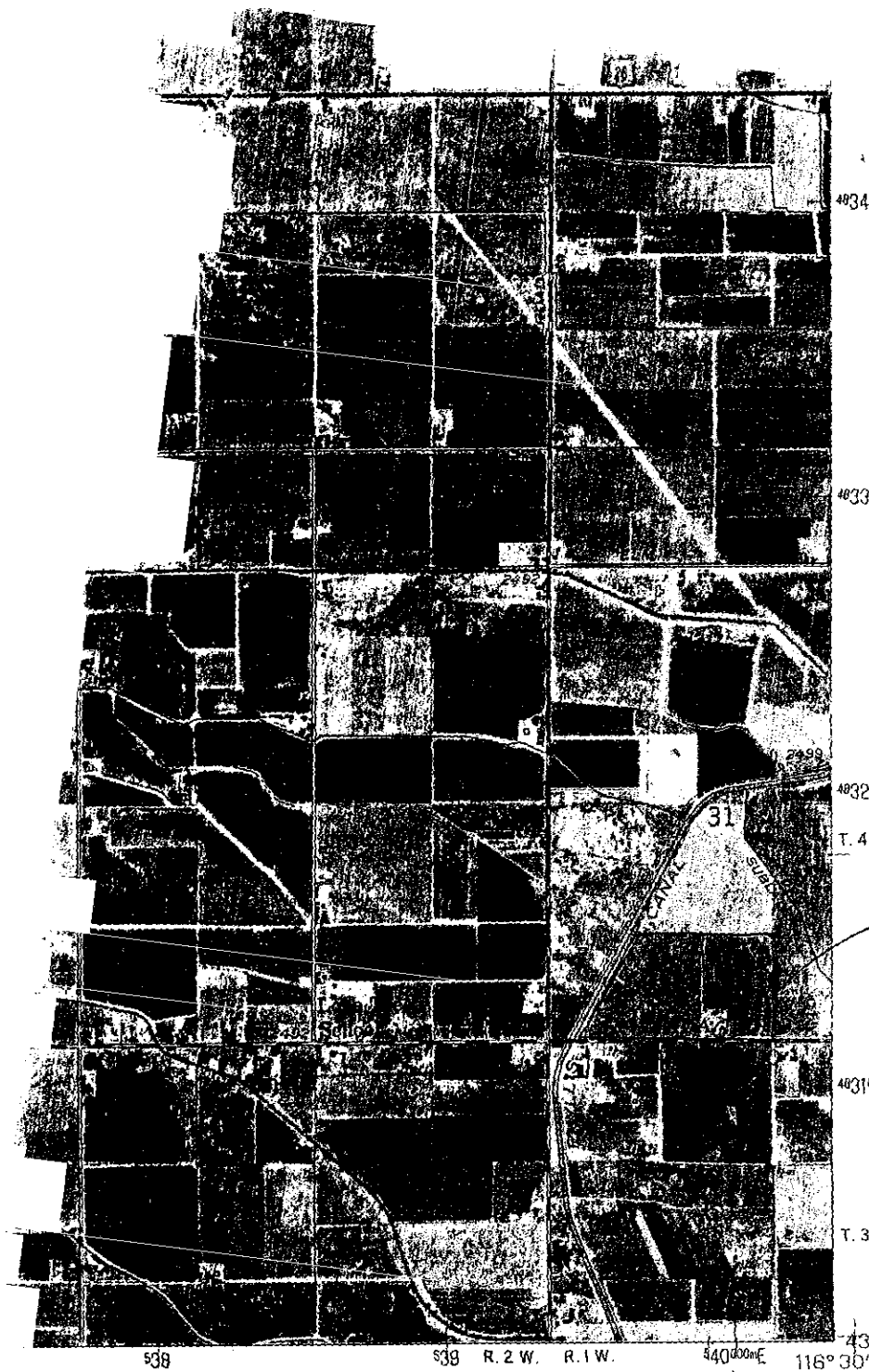
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of September 19 89

Helen Harrington
Notary Public

Seal

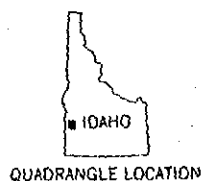
Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



T4N
T3N

irrigation well
SESESW.

attachment to
A63-18986



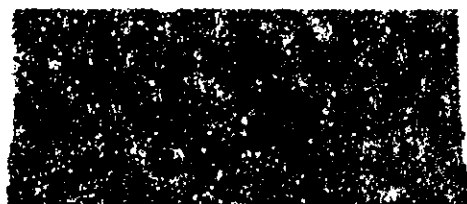
MIDDLETON, IDAHO
N4337.5--W116307.5

1981

MICROFILMED

SEP 01 1992

MIDDLETON, ID 7821-08



05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED
JUN 27 2005
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-18986

OPAL VIESELMAYER
PO BOX 954
NAMPA ID 83653
Telephone Number: (208)466-6077

E H VIESELMAYER
PO BOX 954
NAMPA ID 83653
Telephone Number: (208)466-6077

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-22-05 SIGNATURE: Opal Vieismeyer
Please print your name: OPAL VIESELMAYER

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

12/27/2004

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

RIGHT NUMBER: 63-18986

NAME AND ADDRESS: OPAL VIESELMAYER
PO BOX 954
NAMPA ID 83653

E H VIESELMAYER
PO BOX 954
NAMPA ID 83653

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.170 CFS
87.700 AFY

PRIORITY DATE: 11/19/1906

POINT OF DIVERSION:

T04N R01W S31 SESESW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.170 CFS
87.70 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S31 SWSW 15.0

T04N R01W S31 SESW 32.0

47 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: Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

Idaho Department of Water Resources

**T04N, R01W,
S31**

Claim No: 63-18986

Prepared By: Kimberly Brown

Date: December 27, 2004



Place of Use



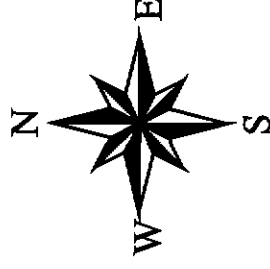
Section Lines



1/4 1/4

● Point of Diversion

Acres Irrigated = 47.0



1987 NAPP

0.09 0 0.09 0.18 Miles



Adjudication Claim Report 63-18986

ADD W51 - Use is combined with Nampa-Meridian Irr. District water.

Parcel No: 80431346600.

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$150.00 (100.00 Adj. fee + 50.00 late fee) late fee not refunded
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-18986Owner: Opal & E.H. Vieselmeier Phone No. (208) 466-6077Current Address: P.O. Box 954 Nampa ID 83653

Property location: ☐ No change NAME IS THE SAME Edgar & Opal Vieselmeier Trust
☐ NEW OWNER (deceased)
8998 W. Ustick ☒ No change Address
Nampa ☐ NEW ADDRESS
83651 ☐ How long owned property? since 1960

Accompanied by: N/A**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 3/15/1960

(If priority date, based on your exam, seems questionable, explain below.)

Mrs. Vieselmeier told me that 1960 was chosen because that was the year they bought the property. However, Mrs. Vieselmeier found a Warranty deed substantiating irrigation use in 1906.

Source: Ground Water Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-18990

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

No, #63-18990 is for domestic and stockwater use
and has a separate well (see #63-18990 Comments)

47 AC x 4.5 af/acre = 211.5 af/annum (v) 0.17 cfs x 1.9835 x 260 days = 87.7 af/annum
Season of use is 3/1 to 11/15.

WATER USES☐ No change☐ Different Uses

Use Irrigation From 3/1 To Amount 0.17 CFS 87.7 AFA
 Use From To Amount CFS AFA
 Use From To Amount CFS AFA

TOTAL VOLUME – Groundwater only

- ☒ Incomplete on claim, the total is, Amount CFS 87.7 AFA
☒ Changes found, the new total is, Amount 0.17 CFS AFA
☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No change

☐ Changes Exam found: Domestic # of homes Stock #
 Types Additional comments:

PLACE OF USE:☐ No Change☒ Changes shown below:

Season of use is 3/1 to 11/15.

Use is combined with Nampa-Meridian District
Irrigation water.

Parcel No: 8043134660.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 12.27.04

FIELD EXAMINER: Kimberly Brown

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General Information

Property Acres: 49.300
Zone Code: RR
Primary Code Area: 73 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 31
Section: 4N1W31

Property Description

PAR #6600 OF SW4
 SEC 31 4N 1W
 #312300-R
 #95090800

Property Address

8998 W USTICK RD
 NAMPA, ID 83687


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- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	47.000	\$68,700	INCOME
Primary	190-WASTE LAND	1.300	\$0	INCOME
Primary	100-HOMESITE ON AG	1.000	\$61,100	MARKET
Primary	310-RES IMPROVEMENT	0.000	\$55,400	COST
Primary	320-IMPROVEMENT	0.000	\$5,000	COST

Total Assessed Value: \$190,200

Parcel Valuation History

Assessed value for year 2004 \$190,200
Assessed value for year 2003 \$184,500
Assessed value for year 2002 \$179,200
Assessed value for year 2001 \$175,600
Assessed value for year 2000 \$151,800

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Property Characteristics

Residential
 Agriculture
 Land

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Land Records

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Residential	Agricultural	Land
--------------------	---------------------	-------------

Residential Characteristics 1 for Parcel "S0431346600"

Occupancy Date:	No Date Available
Year Built:	1931
Year Remodel:	1956
Effective Age:	1940
Construction Class:	3
Number of Bedrooms:	3
Number Bathrooms:	1.0
Number of Fireplaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	1152
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	1630
Main Floor Sq Ft:	1124
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	506
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Residential Characteristics 2 for Parcel "S0431346600"

Occupancy Date:	No Date Available
Year Built:	0
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	0
Number Bathrooms:	0.75
Number of Fireplaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	0
Main Floor Sq Ft:	0
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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**Agriculture Characteristics 1 for Parcel "S0431346600"****Irrigated Acres:**

Capability Class 1:	47.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	0.0

Non-Irrigated Acres:

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	0.0

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Waste Acres:

Capability Class 8:	0.0
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overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-18990

WATER RIGHT NUMBER: 63-18990

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	E H VIESELMAYER PO BOX 954 NAMPA, ID 83653 (208)466-6077
Current Owner	OPAL VIESELMAYER PO BOX 954 NAMPA, ID 83653 (208)466-6077

Priority Date: 11/17/1930

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.030 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 31, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	31												X					

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	31												X					

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-18990

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 60 RANGE CATTLE, 50 HOGS PARCEL NO. RP S0431346600 PROPERTY ALSO KNOWN AS 8998 W USTICK RD.

Comments:

1. CORR1 1/23/1997 COPIED FROM REMARKS
Comment: A SEPARATE WELL USED TO SUPPLEMENT IRRIGATION FLOOD WATER (NAMPE-MERIDIAN IRRIG. DIST.)
2. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-18986

12/27/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
18986	Claim	04N	01W	31	SW	SW		IRRIGATION	17/50	OPAL VIESELMAYER
11028	Water Right	04N	01W	31	SW	SW	4	IRRIGATION SW SW	3.6/3.6	SHIRLEY BEUKELMAN
18986	Claim	04N	01W	31	SE	SW		IRRIGATION	33/50	OPAL VIESELMAYER

63-11028 is a licensed right for
the irrigation of 3.6 acres
located on the west side of
Ustick Rd. from the
Vieselmeyer's property.
No overlap - different Pou.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-18986

12/27/2004

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-18990	Claim	04N	01W	31	SE	SW		GROUND WATER	E H VIESELMAYER
63-18986	Claim	04N	01W	31	SE	SW		GROUND WATER	OPAL VIESELMAYER
63-18990	Water Right	04N	01W	31	SE	SW		GROUND WATER	E H VIESELMAYER

Claim #63-18990 is for domestic & stockwater purposes and, according to its comments, it's well is separate from 63-18986 (see comments on Water Right Report 63-18990).

No overlap -

Receipt Details for ID C011675

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/19/1989 9:54:25 AM	9/19/1989	State	\$150.00	Check
Payer		VIESELMeyer, OPAL/E.H.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
897			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$50.00	LATE FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18986		\$100.00	Claim

Print Report

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-18986
Evidence of Priority**

September 2, 2003

Opal Vieselmeyer called in response to the evidence of priority letter I sent on August 19th, 2003. Mrs. Vieselmeyer said that her husband has passed away. Regarding the claimed priority date of 1960, Mrs. Vieselmeyer stated that that's when they moved onto the property, so that's what she put on the Notice of Claim. I told her that since she filled out the Notice of Claim and has that personal knowledge, I would send a blank Affidavit with the field investigator for her to fill out as evidence of priority.

Mrs. Vieselmeyer also stated that the 35 ft. hand-dug well is used to irrigate the lawn and garden, which is approximately 1 to 2 acres. She also mentioned that the 35 ft. well "wouldn't irrigate even 2 acres!"

July 6, 2004

Opal Vieselmeyer called me to let me know that she found a document that goes further back than the claimed priority date of 1960. I told her to send me a copy, along with her signed Affidavit, and I would take it all into consideration.

Kimberly Brown
Senior Water Resource Agent
Western Region

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
63-18986)
_____)
_____)
State of Idaho)
County of Ada)

AFFIDAVIT

deposes and says: _____

Enclosed is a copy of the Warrenty Deed for the property my husband and I purchased in March 1961. The Water Rights for this property was purchased Nov. 19, 1906.

As near as we can ascertain, the well now being used for pasture and lawn irrigation, was the original well for domestic and livestock use. It was abandoned and a new well in use when we purchased the property. Later, due to the high water table, we reclaimed the well for irrigation purposes.

Also enclosed, is a copy of the water rights purchased in 1906.

X *Opal Dieselmeyer*
(Signature)

RAY W. PRCHAL and MARY K.
PRCHAL, husband and wife.

to

E. H. VIESELMAYER and OPAL
VIESELMAYER, husband and wife.

WARRANTY DEED# 526780
Dated March 13, 1961
Ack'd March 27, 1961
Recorded April 26, 1962
At 1:30 P.M.
Book of Deeds
At page
Consideration \$35,000.00

Grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in the County of Ada, State of Idaho, to-wit:

All that part of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 31, T. 4N., R. 1W. of the Boise Meridian, in Ada County, State of Idaho, lying East of the Right of way of the Phyllis Canal, excepting therefrom, the following:

Beginning at the NE corner of the SW $\frac{1}{4}$ of Section 31, in T. 4N., R. 1W. of the B.M., and running thence S. on the E. line of said SW $\frac{1}{4}$, 1458.6 feet, thence W. and parallel to the S. line of said Section 31, about 1575 feet to the E. line of the Right of Way of the Phyllis Canal, thence NE along the right of way of the Phyllis Canal to the N. line of the SW $\frac{1}{4}$ of said Section 31, thence E. along the N. line of said SW $\frac{1}{4}$ about 752 feet to the point of beginning.

ALSO a strip of land 20 feet wide along the E. side of the SW $\frac{1}{4}$ of said Section 31, extending from a point 1458.6 feet S. of the NE corner of the SW $\frac{1}{4}$ being the SE corner of the tract above described S. to the S. line of said Section 31, which said strip is deeded for road purposes, all in Ada County, State of Idaho.

Subject to that certain mortgage in favor of The Prudential Insurance Company of America, which mortgage does secure an unpaid principal amount of \$10,900.00, and which mortgage the parties of the second part have assumed and agreed to pay in full.

Subject to all taxes and assessments for the year 1961 and all subsequent years.

(U.S.I.R. Stamps)
(\$26.95 Cancelled)

Ray W. Prchal
Mary K. Prchal

Acknowledged by Ray W. Prchal and Mary K. Prchal, husband and wife, before C. E. McNaught, N.P. for the State of Idaho, Residing at Nampa, Ack. in Canyon Co., Idaho. (SEAL)

4

J. T. Stafford,
a single man,

to

Herman L. Brandt.

W A R R A N T Y D E E D

Dated November 19, 1906,
Ack'd November 19, 1906 before
Jno. D. Bloomfield, N.P. Canyon Co.,
Idaho. Seal.
Recorded December 7, 1906 at 1:02 P.M.
Consideration \$2800.00. 1 witness.
Book 64 of Deeds at page 302.

Grant, bargain, sell, convey and confirm:

All that portion of the E. $\frac{1}{2}$ of SW $\frac{1}{4}$ and Lots 3 and 4 of Section 31, in Twp. 4 N., R. 1 W., of Boise Meridian, lying and being E. of the right of way of the Phyllis Canal as now located, containing 92.65 acres more or less.

(Signed) J. T. Stafford.

5

J. T. Stafford,

to

Payette-Boise Water Users'
Association, Ltd.

STOCK SUBSCRIPTION AND CONTRACT

Dated December 28, 1904,
Ack'd December 28, 1904 before
J.H. Graybill, N.P., Canyon Co.,
Idaho. Seal.
Recorded January 16, 1908 at 11:29 A.M.
Book 1 of Stock Sub. & Cont. at page 151

Party of the first part does hereby subscribe for and agree to take 92 shares of the Capital Stock of the Payette-Boise Water Users' Association, Limited, a corporation, duly organized under the laws of the State of Idaho, and in conformity with the bylaws of said Association, and in consideration of the benefits to be received from, I hereby covenant and agree as follows: (Note: Among the Agreements appear the following:)

That said shares of stock and all rights and interest represented thereby or existing or accruing by reason thereof or incident thereto are to be inseparably appurtenant to the following described real estate; that is to say: All that part of the SW $\frac{1}{4}$ of Sec. 31, T. 4 N., R. 1 W., lying East of Phyllis Canal, containing 92 acres, more or less.

As a condition of continued ownership of said shares of stock and participation in any of the benefits thereof, the undersigned or his transferee agrees to make prompt application for a water right to the proper authorities of the United States for the land represented by his shares, and duly proceed to the perfection thereof, in full compliance with the laws applicable thereto, and the rules and regulations established in pursuance thereof, as soon as official announcement shall be made that water for such lands is available from the works constructed owned and controlled by the United States.

Upon the failure of the undersigned or his successor to make prompt application for such water right for said land or to comply promptly and in good faith with the law and the rules and regulations applicable thereto, he shall forfeit to the association the said shares of stock and all rights incident thereto, or that could by any means be claimed thereunder, his heirs and assigns shall thereafter have no right whatsoever as a member or shareholder of this Association as to such shares.

No payment of the shares of capital stock of this Association shall be required except in the manner following:

The undersigned shall as prescribed in this contract, make application to the proper representative of the United States for a water right at the rate of not to exceed one share for each acre.

(continued)

4 - 2 - Next Page

(Entry #5 continued)

Upon proper proof to the Association that such application has been accepted and that he has complied with all the requirements in relation thereto, such subscriber shall be deemed to have paid on his stock subscription the amount then paid to or for the use of the United States for such right; and when all the payments required for such right shall have been made, and when proper evidence of the perfection of such water right has been issued, his stock shall be deemed and held to have been fully paid; and until fully paid, the payments due thereon shall be a lien upon such lands and shares and the said lien enforced by foreclosure and sale of said stock and lands or so much thereof as may be necessary, and in the manner provided by law for the foreclosure of Mortgages; and the purchaser at such sale shall be entitled to the benefits of all payments on the water rights appurtenant to the land purchased, and shall take such lands subject to the obligations and conditions herein provided.

Assessments shall become, from time to time, as they are made and levied, a lien on the said lands of the undersigned and his transferee against which they are levied, and upon the shares of stock and all rights and interests represented by such shares; and until they are paid or otherwise discharged shall be and remain a lien thereon.

The manner of enforcing said lien shall be by foreclosure and sale of the stock and lands as herein provided for payment on capital stock.

(Signed) J. T. Stafford.

Approved and accepted Oct. 9, 1906.

PAYETTE BOISE WATER USERS' ASSOCIATION, LTD.
Stock Subscription Receipt.

Received of J. T. Stafford his executed contract for subscription 92 shares of the Capital Stock of the Payette-Boise Water Users' Association, Limited. Dated Dec. 28, 1905, to be held by said Association and not to be regarded as delivered or as having any binding force or effect until the Nampa-Meridian Irrigation District shall have entered into an arrangement with said Water Users' Association or with the United States Government for the equitable distribution among the share holders of the Nampa Meridian Irrigation District of the value of said works.

Dated Dec. 28, 1905.

(Corporate seal)

J. H. Graybill,
Agent.

PAYETTE-BOISE WATER USERS' ASSOCIATION LTD
By J. H. Lowell,
President.

Payette-Boise Water
Users' Association,
a corporation,

RELEASE OF LANDS

Dated April 14, 1916,
Ack'd April 15, 1916, by Gustav H. Kelm,
President of Payette-Boise Water Users'
Association, before
E.G. Lee, N.P., Canyon Co., Idaho. Seal.
Recorded May 24, 1917 at 1:10 P.M.
Book 5 of Misc. Records at page 345.

KNOW ALL MEN BY THESE PRESENTS: That the Payette-Boise Water Users' Association, a corporation organized and existing under and by virtue of the laws of the State of Idaho, with its principal place of business at Caldwell, Idaho, by and with the assent of the Secretary of the Interior of the United States of America, does hereby release and by these presents does release and discharge all the lands within the boundaries of the Nampa & Meridian Irrigation District, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, and located in Canyon and Ada Counties, Idaho, from any and all liens created by stock subscription contracts, which provide for the payment of the proportionate share of stock of said Payette-Boise Water Users' Association, executed to the said Payette-Boise Water Users' Association by the owners of lands within the boundaries of the said Nampa & Meridian Irrigation District, and that all liens, claims and demands of every kind and nature arising from said stock subscription contracts affecting the lands within said District are by these presents released and discharged.

IN WITNESS WHEREOF, the said Payette-Boise Water Users' Association, has caused these presents to be subscribed by its President and attested by its Secretary, and the corporate seal hereunto affixed this 14th day of April, 1916.

(Corporate Seal)

(Signed) Payette-Boise Water Users'
Association,
By Gustav H. Kelm,
President.

Attest:

W. L. Girard,
Secretary.

Assent is hereby given to the release of the above described lands within the Nampa & Meridian Irrigation District from the lien of the stock subscription to the Payette-Boise Water Users' Association.

Dated this 1st day of May, 1917.

(Signed) Franklin K. Lane,
Secretary of the Interior.

(Seal of Department of the Interior)

Field Exam Date 6/24/04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED

JUL 13 2004

WATER RESOURCES
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A 63-18986

Owner: OPAL VIESELMYER Phone No. 466-6077

Current Address: _____

- ☒ No change NAME IS THE SAME – OPAL ONLY – HUSBAND DECEASED
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? SINCE 1960

Accompanied by: OPAL

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: GROUNDWATER * Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

SITE TAG NO. = A0009216 (FROM INT'REPID)

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

GPS 2297857 #
1384555 39

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SE	SE	SW	31	4 N	1 W	ADA	GPS & FROM NAPP PHOTO

Description of diverting works

8" DIA. CASED WELL DRILLED INSIDE OF OLD 30" DIA HAND DUG WELL.

UNKNOWN DEPTH. 2HP SUBMERSIBLE PUMP

OVERLAP REVIEW

Other water rights with the same point of diversion:

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☐ Different Uses

Use IRRIGATION From 3/15 To 11/15 Amount 0.17 CFS 834.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount 0.17 CFS 834.5 AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	31											15.0	35.0					50

Overlap with other water rights: THIS WATER RIGHT IS SUPPLEMENTAL TO NAMPA-MERIDIAN IRRIGATION DIST. WATER.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: THIS WELL/PUMP PLANT WILL PRODUCE APPROX 0.17 CFS (76.6 GPM). THE WATER IS USED MAINLY IN HER YARD FOR IRRIGATION. ONE OF THE HOSES (AS SHOWN IN PHOTO) CAN GO ACROSS THE YARD TO A SMALL PASTURE INCLUDED IN THE YARD (APPROX 1/2 AC). ANOTHER HOSE CAN BE PLACED INTO THE MAIN CONCRETE LINED IRRIGATION DITCH AND THE WATER USED TO SUPPLEMENT THE IRR. DIST. WATER.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A-0009216	FRANKLIN	2	ZB23018103	FRANKLIN?	2" DISCHARGE

FLOW MEASUREMENTS:

Attach appropriate documents

PWL ESTIMATED @ 25-50'

DISCH. PRESS. 10 PSI 23.1'

TDM = 73.

$$GPM = \frac{(2)(1.7)(3960)}{73} = 76 GPM$$

$$\underline{\underline{0.17 CFS}}$$

NARRATIVE/REMARKS/COMMENTS

I MET WITH OPAL ON 6/24/04 AND DISCUSSED THE INFORMATION FOR THIS WATER RIGHT. I TOLD HER OF THE IMPORTANCE OF HER SIGNING AN AFFIDAVIT TO SUPPORT THE PRIORITY DATE. SHE HAS TAKEN THE FORMS AND WILL PREPARE IT FOR A LATER PICK-UP.

THE GROUND WATER RIGHT IS FOR 1.0 CFS. IT HAS A 2HP SUBMERSIBLE PUMP, AND DISCHARGES INTO A OPEN DITCH. THE THEORETICAL FLOW RATE AS SHOWN IN THE CALCULATIONS IS A FAIR ESTIMATE. I TALKED TO HER REGARDING THIS DIS-PARITY AND SHE HAS NO PROBLEM IN REDUCING HER FLOW RATE TO MATCH THIS THEORETICAL FLOW RATE. THE SYSTEM IS VERY SMALL TO DO MUCH GOOD SUPPLEMENTING THE I.D.

WATER, BUT WHEN NEEDED IT COULD BE IMPORTANT TO HER.
THE IRRIGATION SYSTEM FOR THE FARM IS SHOWN ON THE
ATTACHED PHOTO.

I PICKED THE AFFIDAVIT UP FROM HER TO INCLUDE WITH
FIELD EXAM.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6/24/04 IN FIELD 7/8/04 FINAL WRITE-UP

FIELD EXAMINER: Dante H. Scholten

Idaho Department of Water Resources

1987 Napp Photo

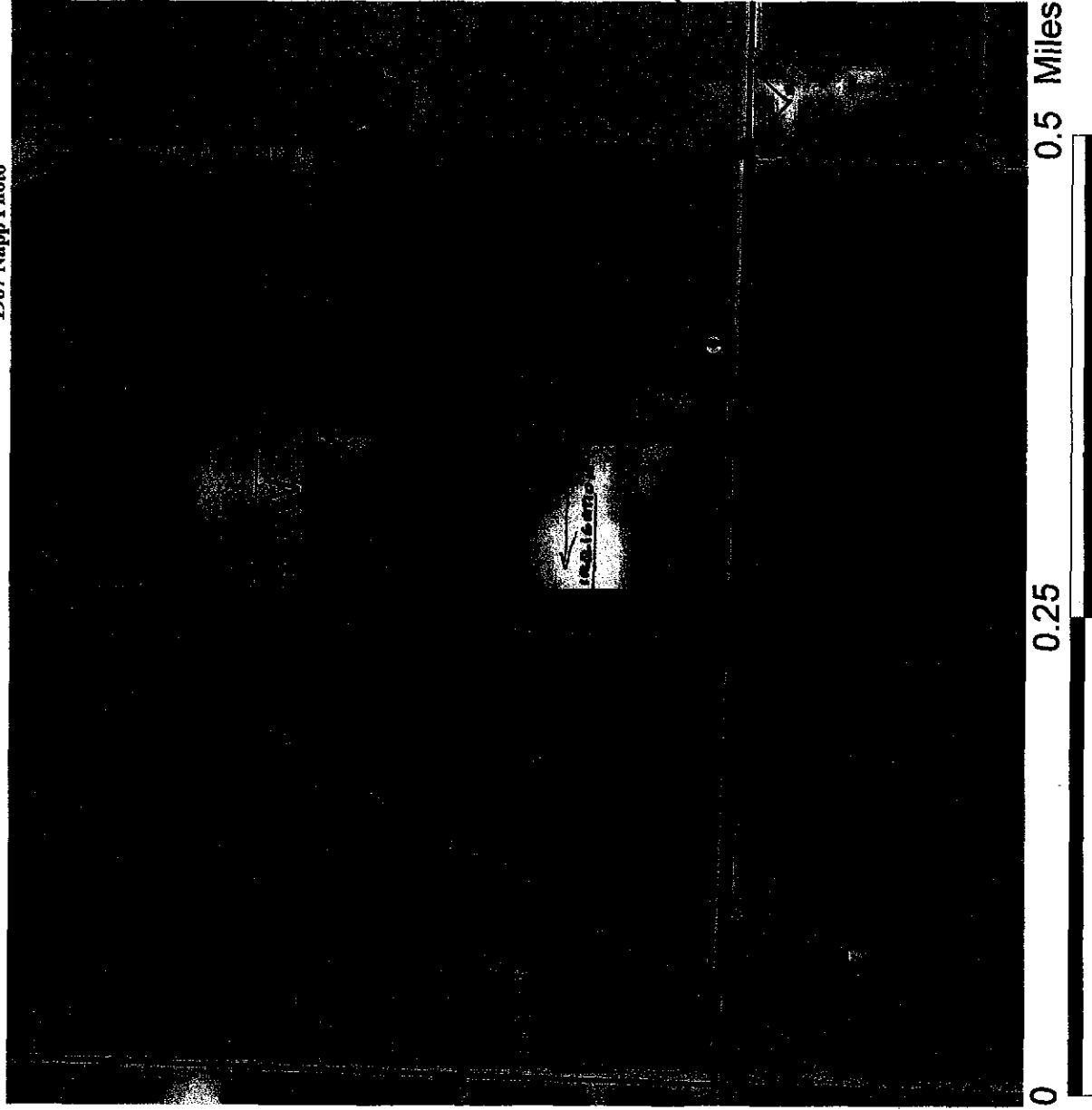
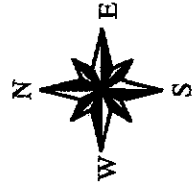
Claim Number: 63-18986
Legal: T4N, R1W, S31
Reviewed By:

⊙ Point of Diversion

Place of Use

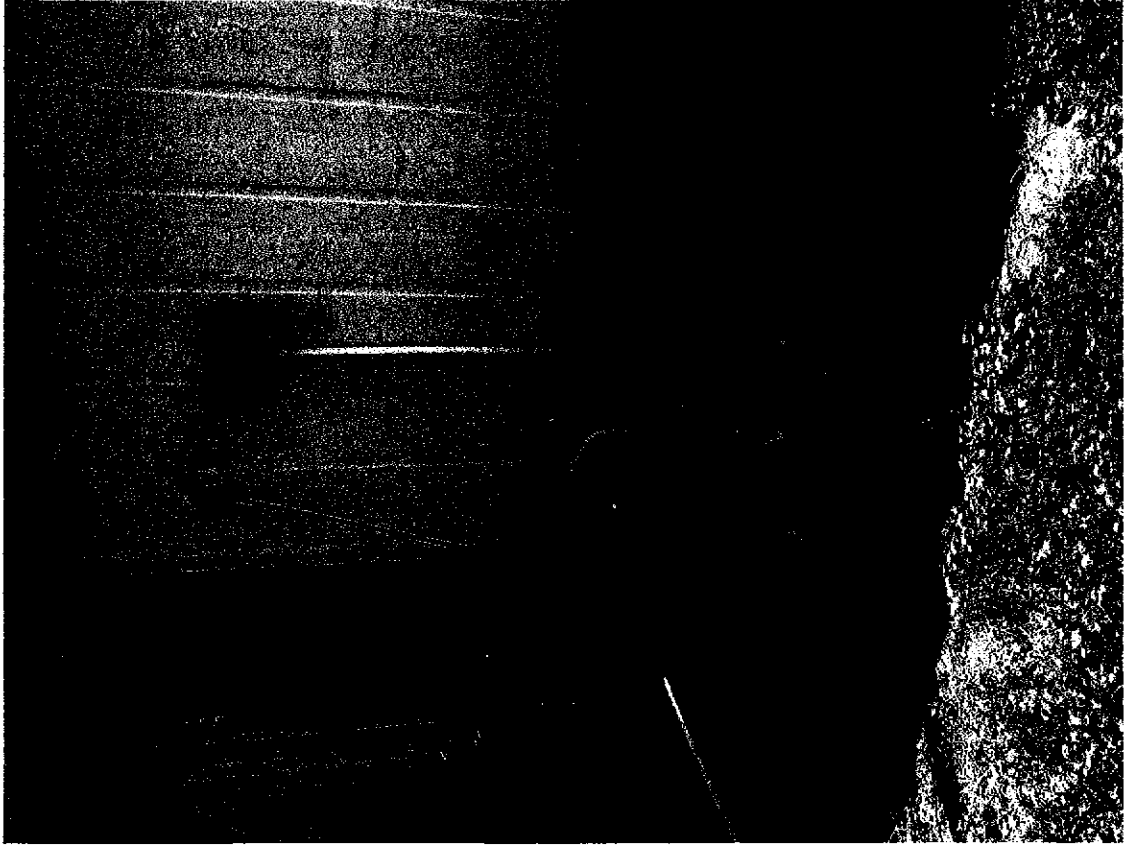
Section Lines

Quarter Quarter Lines



2.75" / 1/4 mile
or 480' / 1/4

63-18986



Well located East of garage

B)

5.14.04

USTICK
+ NEXT RD PAST
STAR RD
Vieselmeier

63-18986-

Please call Opal ~~the~~ ~~the~~ Vieselmeier ^{her} (husband is deceased)
at #466-6077 to set up field exam
AND tell either that they will need to
fill-out the attached Affidavit for evidence
of their priority date.

It's imperative that we have Opal fill
the Affidavit out regarding how they
came up with the 3/15/1960 priority
date. When I spoke with Opal on the
phone (9/26/03), she said that the
35' hand-dug well is used to irrigate
approximately $\frac{1}{2}$ acre of lawn & garden's not
50 acres. Please make sense of this
conflicting information.

- Verify all elements of this claimed water right
- GPS + tag well, etc. ...
(normal routine...)

THIS RIGHT SUPPLEMENTAL TO Nampa-MER.
- Is Nampa-Meridian Irr. District water
used to supplement this right?

SME TAG
A0009216 (INTREPID)

GPS 2297857 #39
1384555

PUMP

2HP W/ FRANKLIN MOTOR

230 V

13.2 AMPS MAX

SF 1.25

RPM 3450

SN 282 5018 103



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2003

OPAL & E.H. VIESELMAYER
P.O. BOX 954
NAMPA, ID 83653

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-18986

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. 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.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 16, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-18986

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 18986
POD ID 175280
Quad Middleton
Claim Type Large
Easting 297943
Northing 284570
GPSID A0009216

Diversion Description

WELL, 35' DEEP. Submersible used for lawn irrigation.

Assumptions

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

a Photos\175280a.JPG

Photos

a Photos\175280b.JPG

EPE (ft)

21 (lh)

Date (M/D/Y)

11/13/01

Time

13.14

Flow Rate (CFS)

0.16

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined .016
Smooth earth .025
Earth .033
Rough bed, weeds on sides .04
Smooth natural stream .033
Rough natural stream .1

Pumped System



HP 2

Pressure Head (psi) 30

Elevation Head (ft) 10

Motor Mfg Franklin

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.



RIGHT ID

63 18986

63-18986

Photo 175280a



63-18986

Photo 175280b





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

FROM Helen H-T

DATE 9-19-89

TO Dave Shaw

A63-18990
A63-18986SUBJECT Reg. for Extension-Vieselmeier

Both claims have been submitted and late fees have been paid! I told her the late fees would be refunded if ext. regist. approved. (or not, if denied).

Glen
SIGNATURE

MICROFILMED

SEP 01 1989

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

EH & OPAL VIEBELMEYER (208) 466-6077
Name of Claimant Phone Number

P.O. Box 954 Nampa ID 83653
Mailing Address City State Zip

ADA 9-8-89
County(s) where place of use is located Date claim originally due

Domestic Stock Irrigation CO11675 9/19/89 Pd late fee
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

MISUNDERSTOOD DATE OF DEADLINE - SO WAS OUT OF
TOWN AT TIME. CAME IN EARLY TO GET FILED -
DIDN'T HAVE AN APPOINTMENT SO WAS GIVEN PAPERS
TO TAKE HOME. GUESS I WAS KINDA LOST FILLING
THEM OUT.

Claimant requests an extension to will submit when decision, 19____
MADE.

Opal Viebelmeyer 9-19-89, 19____
Signature Date of request

Co-owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☒ denied] for the following reasons:

Proper notice including the deadline were mailed
to the above address on 5/9/89.

and if granted the filing deadline is extended to _____, 19____

Signed this 20 day of September, 19 89

[Signature]
Director or his designated agent

DAVID B. SHAM **MICROFILMED**