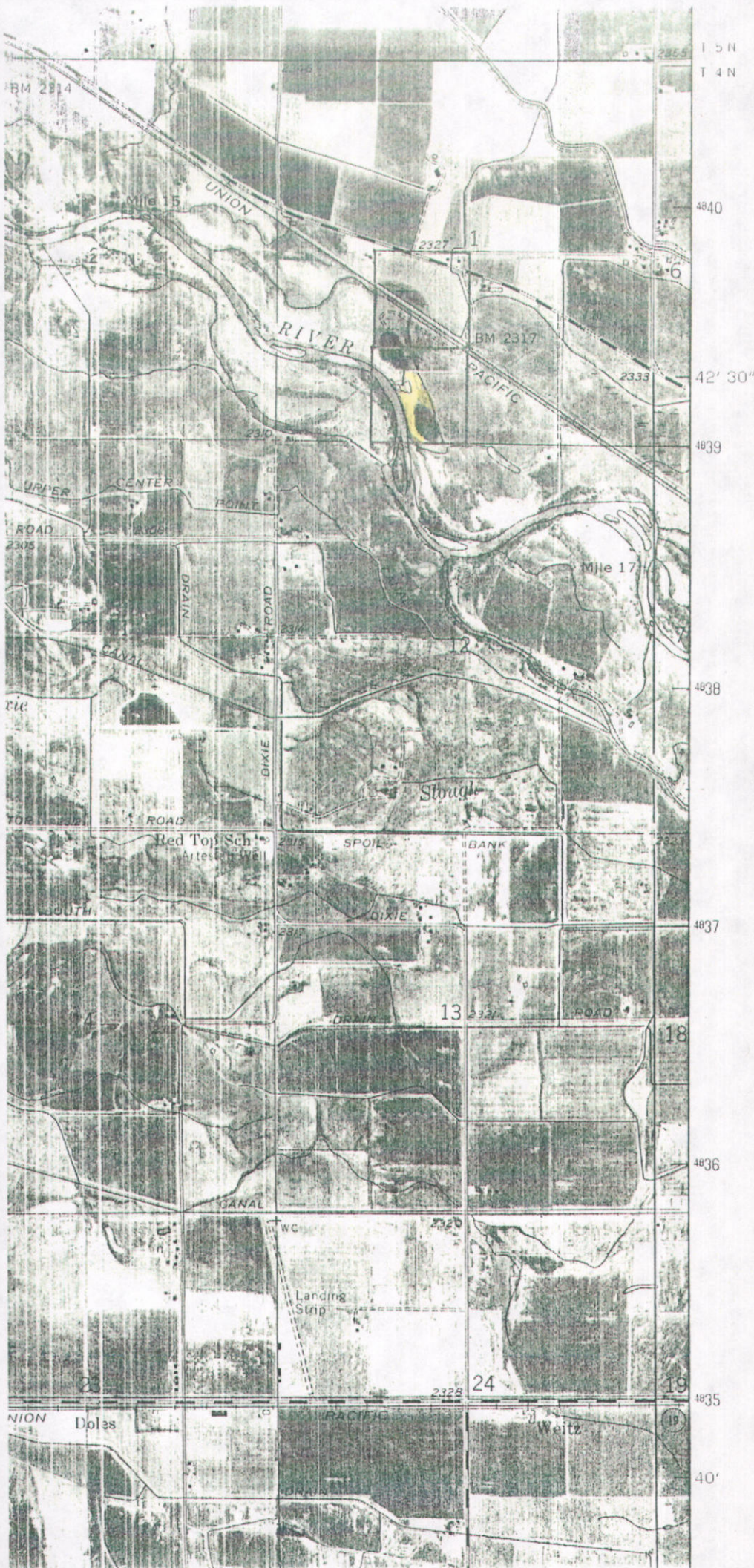


T 5 N
T 4 N



MICROFILMED
AUG 20 1992

#63-4529A
1987 NAPP

10.0 acre parcel
applicable to claim
#63-4529A

SW

SESW

#63-4529A
1994 NAPP

10.0 acre parcel
applicable to claim
#63-4529A

SW

SESW

GREEN BOUNDARY

← Acres covered by
63-4529C.

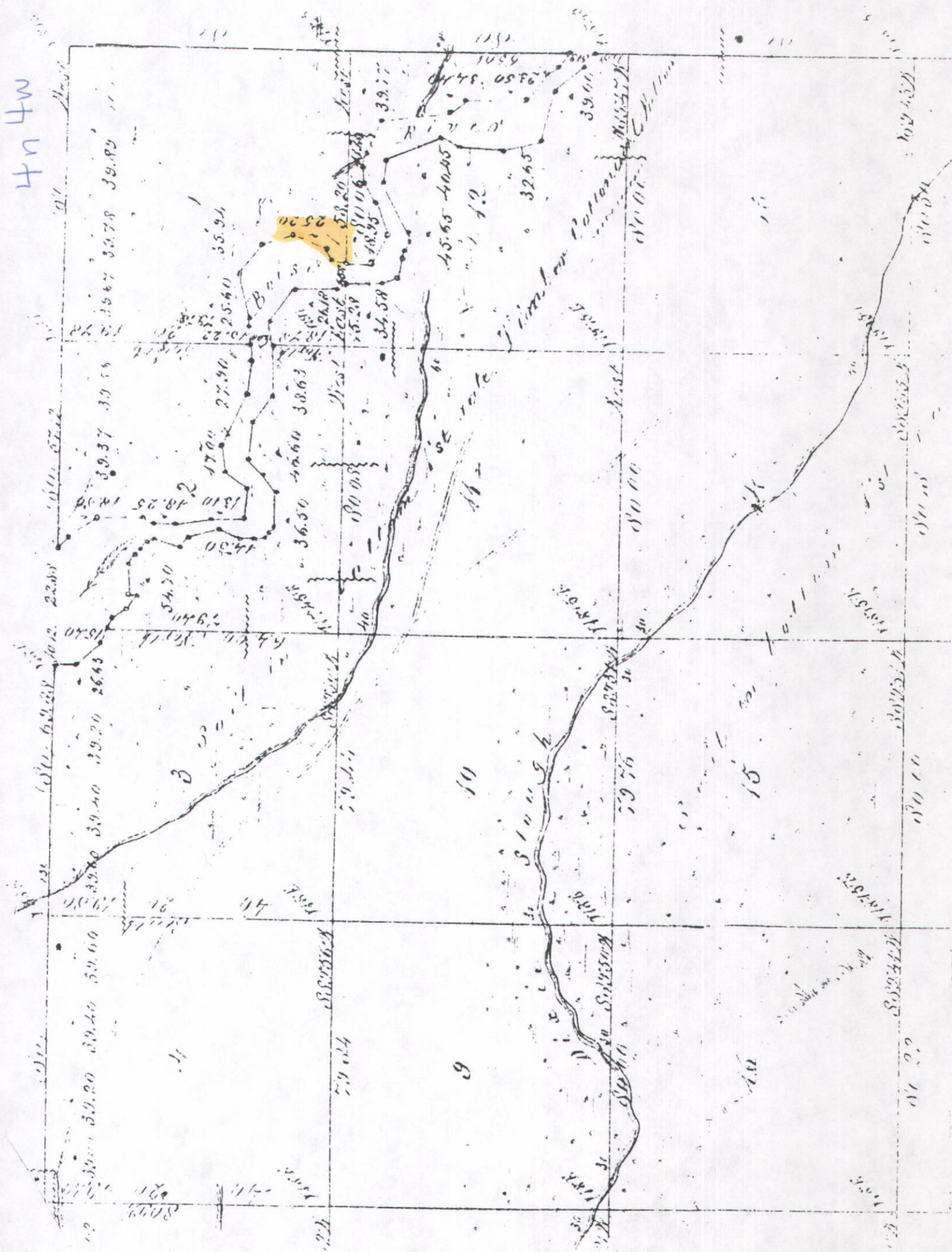
SESW

BLUE BOUNDARY

← Acres for
claimed for
63-4529A & short
no violation.

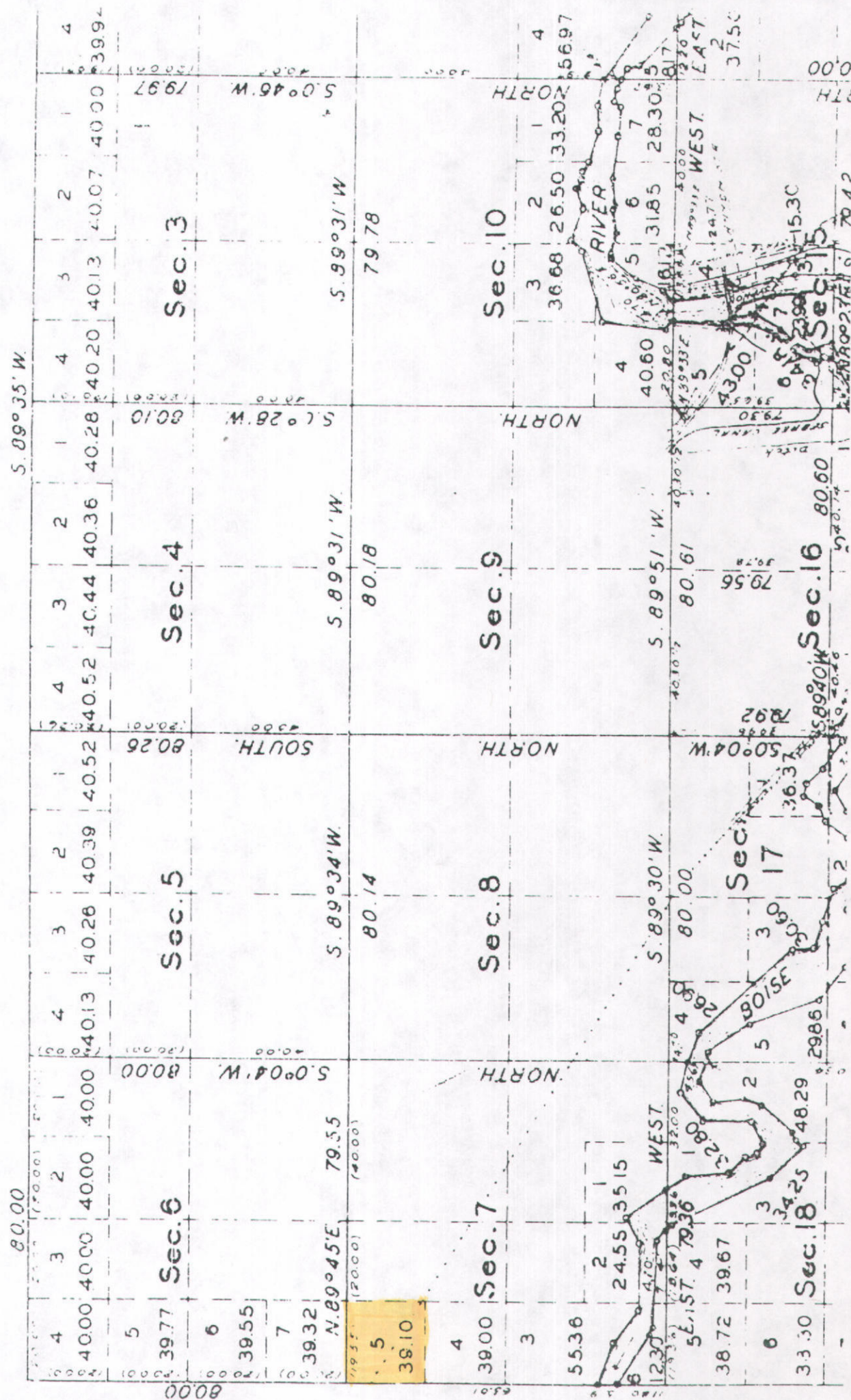
MSFS



$$\frac{2}{3} + \frac{1}{2}$$


COMPOSITE PLAT OF

P. N° 4 NORTH, RANGE N° 3 WEST OF T



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: A63-04529A
Date Received: 2/02/1990
Receipt No: 6014379
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM H. WESSELS
Address: RT. 5
CALDWELL, ID 83605
2. Date of Priority: JUN 01, 1865
3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	7	NW	NW			CANYON
5. Description of diverting works:
DITCH & POND
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 35.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	1	SE	SW		IRR	10.0
Section Acres							10.0

A63-04529A

Page 1

Date: 02/02/90

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 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): Walter H. Wessel Date: 2/2/90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of FEBRUARY 19 90

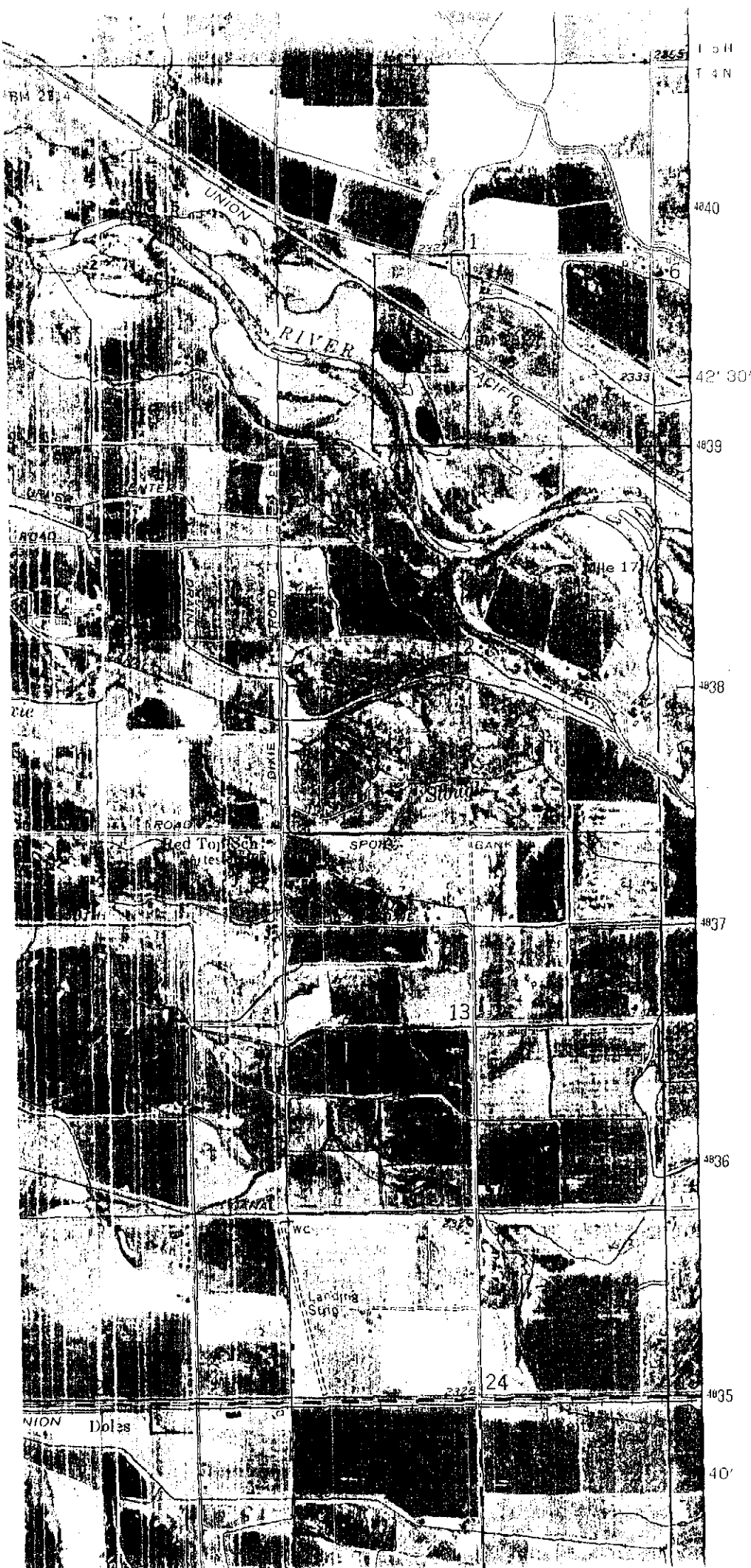
Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

T 3 N
T 4 N



MICROFILMED
AUG 20 1992

RECEIVED

OCT 11 2007

DEPARTMENT OF
WATER RESOURCES

To whom it may concern.

Please accept this late objection . I filed a written objection with the Department of water resources, in oct. 2006 at that time I was told that it would be heard by a judge , I did not understand that I had to file another objection form.

WILLIAM H. WESSELS

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

63-4527A
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: William H Wessels

Address: 18501 Hwy 20-26

CAIDWELL, ID 83607

Daytime Phone: 208-371-6040

Name & Address of Attorney, if any:

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

Name: William H. Wessels

Address: 18501 HWY 20-26 CAIDWELL

ID 83607

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: _____
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): I BOUGHT IRRIGATION

RIGHTS WITH PROPERTY, I FILED FOR EIR RIGHTS IN 1980
IRRIGATION WATER HAS FLOWED ON SAID PROPERTY
EVERY YEAR, I PASTURED LIVESTOCK EVERY YEAR

F.

VERIFICATION (Must be Completed)

State of Idaho

County of Canyon)ss.

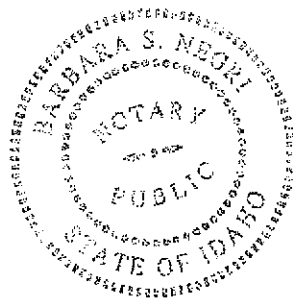
William H WESSELS, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

William H Wessels
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 10, 2007



Barbara S. Negri
Notary Public for Barbara S. Negri
Residing at: Parma
My Commission Expires: 10-13-2010

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 10/10, ²⁰⁰⁷~~199~~, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Keep Name: William H WESSAIS
Address: 18501 Hwy 20-26 S. IDAHO
83607

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

**C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director**

September 18, 2007

WILLIAM H WESSELS
18501 HWY 20-26
CALDWELL ID 83607

Re: Claim to a Water Right No. 63-4529A

Dear Mr. Wessels:

Pursuant to our telephone conversation yesterday I am enclosing a form entitled "Standard Form 1 – Objection". This form should be completed as described on the instructions (attached to the back) and submitted to the court with a letter requesting they accept the late objection and stating why you did not file it with them by the June 20, 2007, due date.

If you have any questions, feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style with a large, prominent 'K' and 'W'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4529A V1

WATER RIGHT NUMBER: 63-4529A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM H WESSELS 18501 HWY 20-26 CALDWELL, ID 83607 (208)459-2004
Original Owner	ROY A SEBREE RT 5 BOX 5045 CALDWELL, ID 83605

Priority Date: 06/01/1865

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 7, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

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	04W	1												10.0					10.0

Total Acres: 10

Conditions of Approval:

1. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
2. 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.
3. P03 No beneficial use found.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4529A V1

Comments:

1. kbrown 7/19/2006 **Reason for Disallow**

Comment: The 10.0 acres claimed for #63-4529A do not show any irrigation (see 1987 NAPP image in file).

2. kbrown 7/19/2006 **Attempted Field Exam**

Comment: IDWR contractor, Merlaine Bishop, attempted to conduct a field investigation and met with Mr. Wessels on 9/29/05, but did not complete the investigation because, in Ms. Bishop's words: Mr. Wessel was uncooperative at time of field exam (see Memorandum in file).

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/20/2006	lharris	Disallowed
Contacts	7/19/2006 3:54:00 PM	kbrown			Disallowed
Summary			07/19/2006	kbrown	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	7/19/2006 3:55:54 PM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4529A V1

Contacts	7/19/2006 3:54:00 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Disallowed.
Summary	3/20/2006 11:57:34 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?

Water Supply Bank:

FROM :

FAX NO. : 208 459 2004

Oct. 31 2006 03:40PM P1

0-0

A H W K Brown

334-2348

09/30/2006

NOTICE OF ERROR
REPLY

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: October 31, 2006

Water right number: 63-4529A

WILLIAM H WESSELS

18501 HWY 20-26

CALDWELL ID 83607

Telephone Number: (208) 459-2004

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

YAC HAVE I-2d BETA 1987
A-1 1999 - ALL WAS RANG POINT 1975

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

YAC FIVE-2 RIGHTS

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

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

DATE:

10/31/06

SIGNATURE:

William H Wessels

Please print your name:

William H Wessels

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

DISALLOWED

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4529A

WATER RIGHT NUMBER: 63-4529A ✓

Owner Type Name and Address
Current Owner WILLIAM H WESSELS ✓
 18501 HWY 20-26
 CALDWELL, ID 83607
 (208)459-2004
Original Owner ROY A SEBREE
 RT 5 BOX 5045
 CALDWELL, ID 83605

Priority Date: ~~06/01/1865~~ ✓ 10/04/1932
Basis: ~~Statutory Claim~~ ✓ Beneficial Use
Status: Active

Source Tributary
UNNAMED DRAIN ✓ BOISE RIVER ✓

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION ✓ 3/15 to 11/15 ✓ 0.200 CFS ✓
 change to 3/01
 Total Diversion: 0.200 CFS ✓

Location of Point(s) of Diversion

UNNAMED DRAIN NW1/4NW1/4 ✓ Sec. 7, Twp 04N, Rge 03W, B.M. ✓
CANYON County ✓ Govt. lot 5

Place of Use
IRRIGATION ✓

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	04W	1												10.0					10.0 ✓
																			L1

Total Acres: 10 ✓

Conditions of Approval:

ADD P03 & P13 - no beneficial use found

Remarks:

Comments:

DISALLOWED

Field Exam Date 7.19.06

(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 \$60.00
- ☐ 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 63-4529 A

Owner: William Wessels Phone No. 459-2004

Current Address: 18501 Hwy. 20-26, Caldwell 83607

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: in-office verification

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: 06/01/1865

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

William Wessels submitted a Chattel Mtg. 195252 dated
Oct. 4, 1932 as evidence of the priority date.

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: Govt. lot 5
- ☐ 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

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

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

Use _____ From 3/01 To _____ Amount _____ CFS _____ 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 _____ 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:ADD: Govt. lot 1**REASON for DISALLOWAL –**

The 1987 NAPP shows no irrigation (see 1978 NAPP image in file).

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	

Overlap with other water rights: _____

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

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

ATTEMPTED FIELD EXAM -

IDWR Contractor, Merlaine Bishop, attempted to conduct a field investigation on 9/20/05, but did not complete the investigation because Mr. Wessels "was uncooperative at time of field exam." (refer to Ms. Bishop's memorandum in the file).

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: 7.19.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

DISALLOWED

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-4529A & -9695
Notice of Error Reply**

October 19, 2006

William Wessels called (#371-6040) in response to the Notice of Error/Preliminary Recommendation packet of information he received in the mail. Mr. Wessels agreed with the recommendation for 63-9695, but questioned the disallowal of 63-4529A. Regarding 63-4529A, I explained to Mr. Wessels that the parcel of property this claim pertains to does not show any irrigation in 1987, nor in the year 1994 (see NAPP images in file). In response, Mr. Wessels informed me that he purchased this property in 1981-82 and that in the early 1970s, it used to be a gravel pit. According to Mr. Wessels, he began reclaiming the land by converting it to pasture for his horses in the late 1990s [the 2003 NAPP image does show some irrigation (approximately 1.0 to 2.0 acres) in the north-east portion of this 10.0 acres parcel]. However, I explained that because there was irrigation in 1987 (in addition, the 1994 also shows no irrigation), I would not be able to change the recommendation. I asked that he fill-out the Notice of Error Reply and informed him that he may object to the recommendation during the objection phase. I also told Mr. Wessels that I would send him a print-out of the SESW, Sec. 1 on the 1987 and 1994 NAPP images (with 2005 Canyon County tax lot data over-laid) as evidence of the disallowal.

Kimberly Brown
Senior Water Resource Agent
Western Region

108

10.0 acre parcel
applicable to claim
#63-4529A

SW

SESW

10.0 acre parcel
applicable to claim
#63-4529A

SESW

SW

GREEN BOUNDARY

← Acres
covered by
63-4529C.

SESW

BLUE BOUNDARY

← Acres
claimed for
63-4529A show
no irrigation.

WASH STATE

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4529

WATER RIGHT NUMBER: 63-4529

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROY A SEBREE RT 5 BOX 5045 CALDWELL, ID 83605

Priority Date: 06/01/1865

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.860 CFS	
	<u>Total Diversion:</u>	2.860 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 7, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

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	03W	6											20.0						20.0
04N	03W	7							20.0										20.0
04N	04W	1									15.0		28.0				25.0	30.0	98.0
04N	04W	12	5.0																5.0

Total Acres: 143

Conditions of Approval:Remarks:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4529A**

03/20/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2448	Claim	04N	04W	1	SE	SW		IRRIGATION	4/101	SEBREE FARMS INC
1529A	Claim	04N	04W	1	SE	SW		IRRIGATION	10/10	WILLIAM H WESSELS
1529C	Claim	04N	04W	1	SE	SW		IRRIGATION	18/128	SEBREE FARMS INC
2448	Water Right	04N	04W	1	SE	SW		IRRIGATION	4/101	FRANK IHLI
4529	Water Right	04N	04W	1	SE	SW		IRRIGATION	28/143	ROY A SEBREE
31506	Claim	04N	04W	1	SE	SW		DOMESTIC		WILLIAM H WESSELS
9695	Water Right	04N	04W	1	SE	SW	1	WILDLIFE		WILLIAM H WESSELS
9695	Water Right	04N	04W	1	SE	SW	1	WILDLIFE STORAGE		WILLIAM H WESSELS
9695	Claim	04N	04W	1	SE	SW	1	RECREATION		WILLIAM H WESSELS
9695	Water Right	04N	04W	1	SE	SW	1	RECREATION		WILLIAM H WESSELS
9695	Water Right	04N	04W	1	SE	SW	1	RECREATION STORAGE		WILLIAM H WESSELS

REAL PROPERTY INQUIRY

01 6R35912-011- -0 127-00 G SCH135+ 05 25 .41

WESSELS, WILLIAM

+

+

+

+

+

18501 HWY 20-26

+

CALDWELL ID 83607

+

01-4N-4W SW

+

TOTAL 25 .41

LOT 1-S & W OF THE RIVER

+

+ SURVEY INST 9438017

+ DRAIN DR VALUE APPR MKB

+ CLASS REAP 04 MAN UNIT 0

HWY 20-26, CA

+

+ PARCEL 6R04N04W016900 H/O N C/B N

+ PRIOR ACCOUNT 5R35912-011- -0

SEE R35912-010

+

+ 02 MH on Property NO

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

System User- IDWRR Date 03/20/2006 Time 11:31

REAL PROPERTY INQUIRY

01 6R35912-010- -0 127-00 G SCH135+ 05 200 4.97

10 25,000 1.00

WESSELS, WILLIAM H

+

19 4.12

+

31 54,800

+

32 26,500

+

+

18501 HWY 20-26

+

CALDWELL ID 83605

+

01-4N-4W SW

+

TOTAL 106,500 10.09

TX 6 IN LTS 1 & 2 IN SW1/4

+

LESS TX 6-A

+

+ SURVEY INST 200366217

+ DRAIN DR VALUE APPR MKB

+ CLASS N2 REAP 05 MAN 04 UNIT 1

18501 HWY 20-26, CA

+

+ PARCEL 6R04N04W016751 H/O N C/B N

+ PRIOR ACCOUNT 5R35912-010- -0

+ 02 MH on Property YES

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R35912010 0 UNIT 001 TOTAL UNITS 1

SITE 18501 HWY 20-26 CA SEC/TWN/RNG 01-4N-4W

ASSESSED VALUE 106,500 ACREAGE 10.09

SUB/PARK NAME YEAR/MAKE

CLASS N2 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK

YR BUILT 1997 AIR COND AIR - NONE CARPORT N

STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT

FIRST SQ FT 1080 EXTERIOR HARDBOARD DECK/PATIO? N

SECOND SQ FT ROOF COMP POOL? N

BEDS 3 BSMT SQ FT SPA? N

BATHS 2.00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL PROPERTY INQUIRY

```

+++++
01 6R35912-012- -0 127-00 G SCH135+ 02 2,000 6.51
+++++
19 3.00
WESSELS, WILLIAM H +
+
+
+
+
18501 HWY 20-26 +
CALDWELL ID 83607 +
+++++
01-4N-4W SW + TOTAL 2,000 9.51
TAX 6-A IN LTS 1 & 2 IN SW1/4 ++++++
+ SURVEY INST 200366217
+ DRAIN DR VALUE APPR MKB
+ CLASS REAP 04 MAN UNIT 0
+ PARCEL 6R04N04W015150 H/O N C/B N
+ PRIOR ACCOUNT 5R35912-012- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R35912012 0 UNIT 001 TOTAL UNITS

```

SITE HWY 20-26 CA SEC/TWN/RNG 01-4N-4W
ASSESSED VALUE 2,000 ACREAGE 9.51
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK402

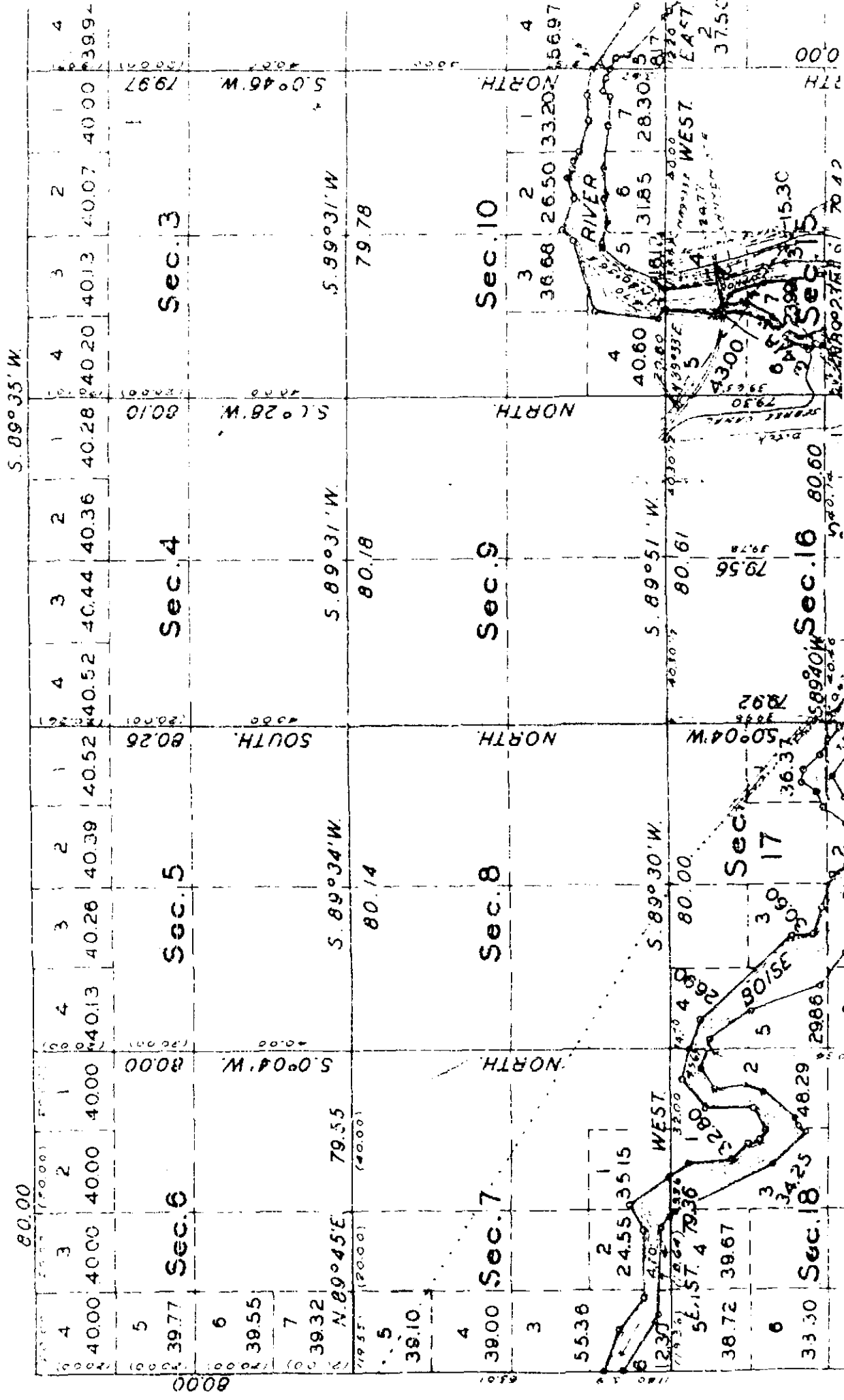
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+++++
+ MANUFACTURED HOUSING INQUIRY +
+++++
+ 01 6T71703-000- -0 127-00 FIRE- FLOOD-G APPR MKB CLASS R1 REAP 04 DECL N +
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ WESSELS, WILLIAM H + R35912-010- -0 SECTION 01-4N-4W SW +
+
+ SPACE LOT BLOCK +
+ SUN VALLEY (12 X 48) ( X )+
+ 12522D6682 +
+ 18501 HWY 20-26 + SUNVA-76-12-R10 TITLE 88164852 +
+ CALDWELL ID 83607 ++++++
+++++
+ VALUES +
+ SITE 18501 HWY 20-26 CA +
+++++
+ 46 1,700 +
+ STATUS- COMB N TRAN N DEL N PPD N +
+ PRIOR ACCOUNT 5T71703-000- -0 +
+ PARCEL 6T4N4W01R71703 +
+ H/O N C/B N SCH 135 +
+ 02 TRAITS INQUIRY + TOTAL 1.700 +

```


COMPOSITE PLAT OF

D. N° 4 NORTH, RANGE N° 3 WEST OF T



Receipt Details for ID C014379

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/2/1990 4:05:31 PM	2/2/1990	State	\$60.00	Check
Payer		WESSELS, WILLIAM H.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2317			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$60.00	ADJUDICATION 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	4529	A	\$60.00	Claim

✓ Correct Amount

Print Report

FROM :

FAX NO. : 208 459 2004

Apr. 13 2006 09:40AM P1

0-0



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4529A ~ 3

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.

Chattel Mtg
195252.

Frank Ihli and Della Ihli, h & w

-WITH-

Black Canyon Irrigation District, a quasi municipal corporation

Agreement
Dated Oct. 4, 1932
Rec. Dec. 7, 1932. 2:50 P.M.
Book 9 B&A Page 595

Signed: Frank Ihli, Della Ihli

Ack. C.C.I. Oct. 4, 1932 by Frank Ihli and Della Ihli h & w before T.A. Walters F.P. for the S. of I. Res. at Caldwell, I. (S)

WITNESSETH: That, whereas, the party of the 2nd part is the owner of and operates an irrigation and drainage system in what is known as the First or Constructed Unit of the Black Canyon Irrigation District, and

WHEREAS, the party of the 2nd part has heretofore constructed a drainage ditch, a portion of which runs across what is commonly known as the V.D. Hannah ranch, and discharges water onto the lands and premises of the first part, hereinafter particularly described, and

WHEREAS, the parties of the first part have and do claim the water so discharged from said drainage ditch injures and damages the lands and premises of the parties of the 1st part, and that a ditch should be constructed on, through, across and over the said lands of the parties of the 1st part, so as to carry the said water across said lands without causing

injury thereto in the way of seepage.

NOW THEREFORE, it is understood and agreed that the parties of the 1st part, for and in consideration of the sum of \$75.00 lawful money of the U.S. to them in hand paid by the party of the 2nd part, the receipt whereof is hereby acknowledged by the parties of the 1st part, do by these presents forever release and discharge the party of the 2nd part from all damages of every kind, nature, or description, which may have heretofore been caused done, or which in any manner may have resulted from the said waters coming down upon the said lands and premises of the parties of the 1st part, or which may at any time hereafter be caused, done, suffered, created, or in any manner result from the said water coming down upon said lands, as aforesaid, and the said parties of the first part, for themselves, their heirs and assigns, hereby remise, release and forever grant unto the party of the 2nd part a perpetual right to discharge water from said drain ditch, or any enlargement or modification thereof, onto the said lands and premises of the parties of the 1st part, without let or hindrance, and the said parties of the 1st part will, at their own cost and expense, build such ditch or ditches or structures as in their judgment may be necessary to care for the said water.

The said lands and premises above referred to and belonging to the said parties of the first part, are situate in the Q. or Q.S. of I. and more particularly desc. as follows, to-wit: Lot 2 in Sec. 1 T 4 N. R. 4 W. B. M.

To have and to hold all and singular the said rights and privileges herein granted unto the said party of the 2nd part, and to its successors and assigns forever.

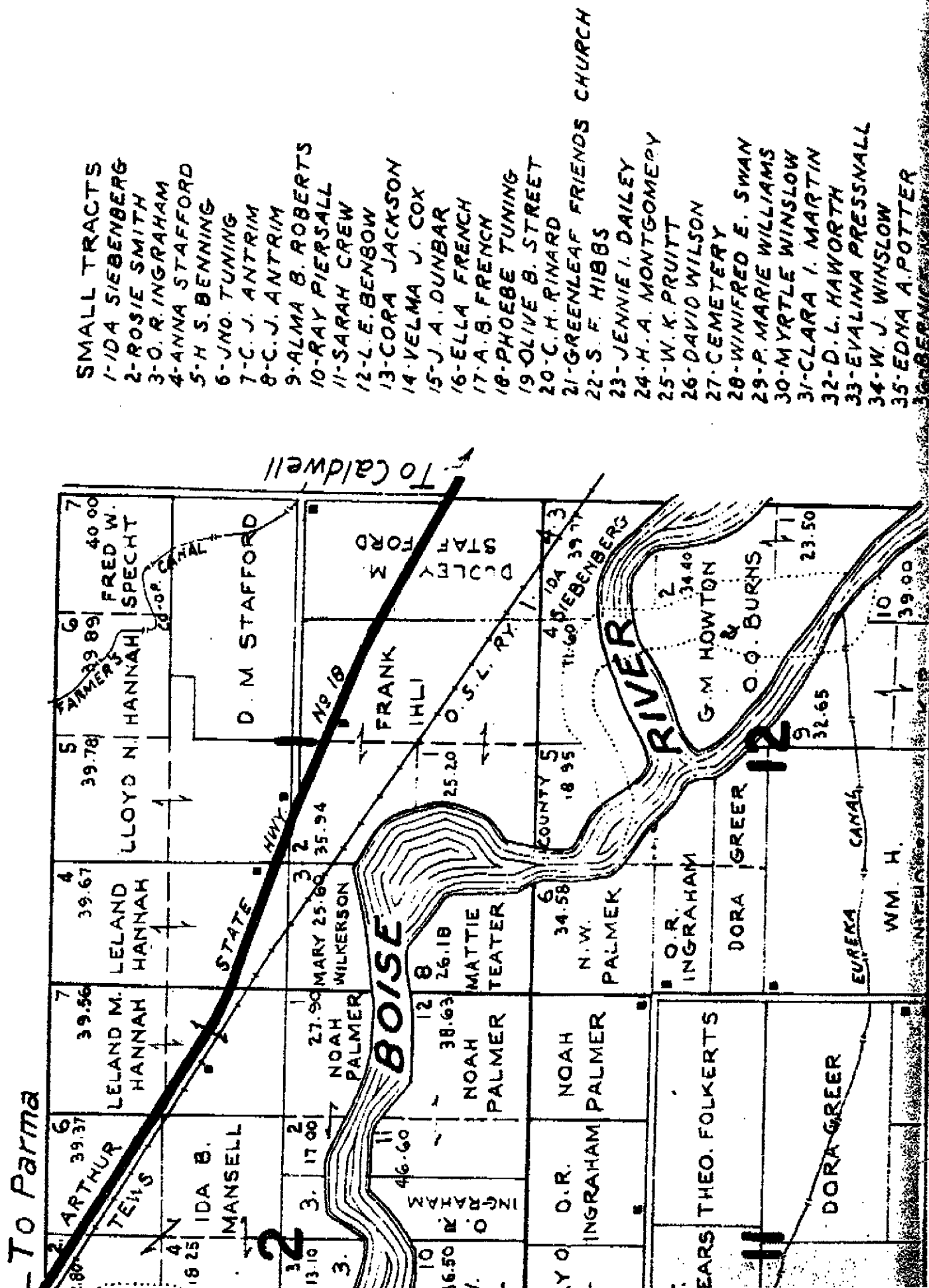
Cecil Trueblood, Jr. vs. P.R. Ulrich 195253

\$46.50

12-7-32

Abstr. from Justice Court

(206) 588-5222



CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-4529A
Evidence of Priority**

March 23, 2006

William Wessels called in response to the evidence of priority request I recently sent. Regarding providing evidence, Mr. Wessels asked me to look in the Skogsberg's claims to see if they had provided evidence. The -C portion of #63-4529 is still in the name of Sebree Farms, so I doubted that anything had reached the Skogsbergs. I checked the -B and -C portions and found no evidence of priority. I, therefore, informed Mr. Wessels that if he could not go back to 1865; that he needed to find some evidence prior to 1971. After explaining various ways to provide evidence, Mr. Wessels felt that maybe his neighbor, Don Wilson, could write an affidavit.

April 12, 2006

Mr. Wessels called to inform me that none of the Sebrees are in the area any longer (they're all in Kansas), that Don Wilson purchased the property in 1970, and that he found a 1938 aerial. I asked that he send the 1938 aerial to me and I would take a look at it.

April 13, 2006

Mr. Wessels called to let me know that he found a 1932 Agreement where Black Canyon made a legal commitment with another party. He said that this document basically says that Black Canyon came in with irrigation water/overflow, so Black Canyon paid Mr. Ihli \$75.00 to take care of it. I gave Mr. Wessels my fax number and he faxed the document to me.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILLIAM H WESSELS
18501 HWY 20-26
CALDWELL ID 83607

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4529A

Dear Claimants,

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. 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. 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 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.

The required evidence supporting the priority date(s) requested needs to be submitted by April 18, 2006. 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, since it is our goal to decree the historical water right 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. In the near future, you will be receiving a call from us in order to set-up an appointment for 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

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4529A

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.

#63-4529A

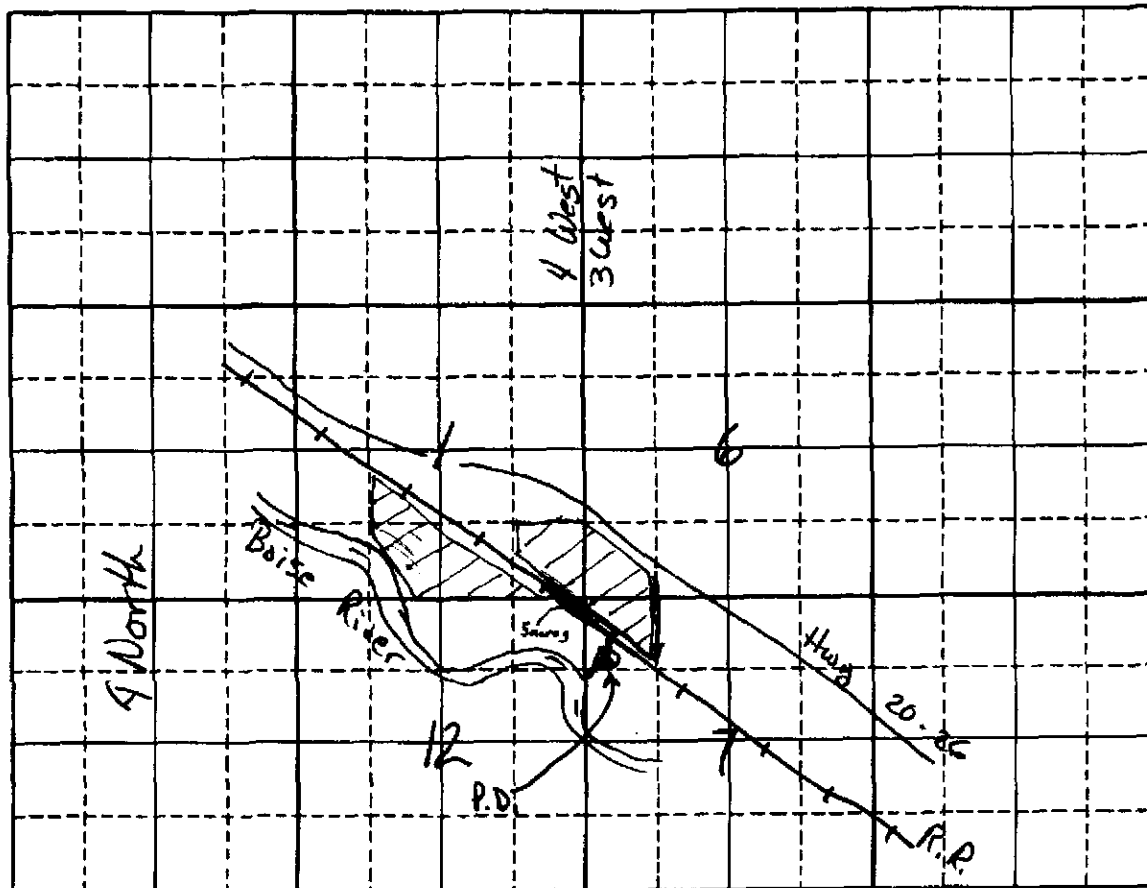
WILLIAM h Weasels
118501 Hwy 20/26
Caldwell Id 83607

9-29-05

Mr. Weasel was uncooperative at time of field exam. He claimed on phone he had an 1859 water write. But in file states 1865 water right. Mr. Weasel and I went over maps. He pointed out point of division. When I asked him about his date of priority he got angry and started yelling. I knew I was getting no where and I polite and thanked him for his time and left the property. **Filed exam was not completed**

J Merlaine Bishop.

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 12th day of July, 1977.

Notary Public

Residing at

Roy G. Seabree
 (Claimant)
Pete Bendish
Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>W.H.M.</u>	Date <u>7-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LLS</u>	Date <u>7/13/77</u>		claimant by:	
\$10.00 fee received by <u>W.H.M.</u>	Date <u>7-12-77</u>	# <u>8132</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Newspaper</u>				
Dates <u>July 21 & 28, 1977</u>				