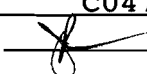


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: **A72-16560**
Date Received: 12/17/1999
Receipt No: C047466
Received By: 

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

1. Name: ROBIN J WEGNER 208-879-5820
Address: HC 63 BOX 1576
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1879

3. Source: BEAR CREEK Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	18E	3	NW	SW	NW		CUSTER

5. Description of diverting works:
EXISTING DIVERSION HEADGATE AND WEIR FOR WATER RIGHT 72-00007A

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	18E	2	SW	NW		IRR	12.0

Section Acres 12.0

10. Place of Use: Continued

Total Acres 12.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00007A, A72-10032

14. Remarks:
HISTORICALLY AND TRADITIONALLY HIGH WATER HAS BEEN USED WITH
A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE IRRIGATION UNTIL
SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS BE ADJUSTED TO DECREED
AMOUNTS. IDWR REPRESENTATIVES DETERMINED HIGH WATER WAS
HISTORICALLY AND TRADITIONALLY USED AND RECOMMENDED APPLICATION
FOR HIGH WATER RIGHTS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Monies Paid
to the
Idaho Department of Water Resources

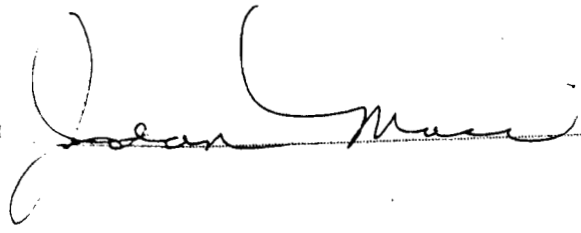
Receipt No: 0047455

Date: 12/17/1999
Time: 14:06:54

Received
From: WEGNER ROBIN

Type of Payment	Program A cct	Amount
JUD. CLAIM FEE	417 03 337 1155	50.00
CHECK 2186		
	Total	\$ 50.00

Region: STATE

Signature: 

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 A72-16560

Date Received _____

Receipt Number _____

*Note: This form
accompanied the
SF 4 referencing*

72-16559

150 (NP)

**NOTICE OF CLAIM
TO A
WATER RIGHT**

REQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROBIN J. WEGNER Phone (208) 879 5820

Mailing Address HC63 BOX 1576 CHALLIS, ID Zip 83226

2. Date of Priority (Only one (1) per claim) 1879

3. Source of water supply (a) BEAR CREEK
which is tributary to (b) CHALLIS CREEK

4. a. Location of existing point of diversion is: Township 14N Range 18E Section 03,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CUSTER

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township 14N Range 18E Section 02, NW 1/4 of SW 1/4 of
NW 1/4, Govt. Lot _____ B.M., County of CUSTER

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. EXISTING DIVERSION HEADGATE
AND WEIR FOR WATER RIGHT A72-00007A. HISTORICLY
AND TRADITIONALLY HIGH WATER IS INCLUDED WITH A72-00007A
NO IMPROVEMENTS REQUIRED.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 1 MAY to 1 NOV amount 1.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	18E	2							12										

Total number of acres irrigated 12

11. In which county (ies) are lands listed above as place of use located? CUSTER

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A-7200007A, A72-10032 or None ()

14. Remarks: PURCHASING PROPERTY WATER DISTRICT AUTHORITY FORM
ENCLOSED. HISTORICLY AND TRADITIONALLY HIGH WATER HAS
BEEN USED WITH A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE
IRRIGATION UNTIL SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS
BE ADJUSTED TO DECREED AMOUNTS. IDWR REPRESENTATIVES
DETERMINED HIGH WATER WAS HISTORICLY AND TRADITIONALLY USED AND
RECOMMENDED APPLICATION FOR HIGH WATER RIGHTS.

Last Name WEGNER Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile SEE IDWR ARIEL PHOTO
ENCLOSED

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Official Use ☒ Posted Notice _____ cense _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) Robin Fuller Date 7 Jul 99

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 6 day of July 19 99



Notary Public Tessa Leuzinger

Residing at Challis, ID

My Commission Expires 8-31-2004

Please Print Name

17. Notice of Appearance
Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

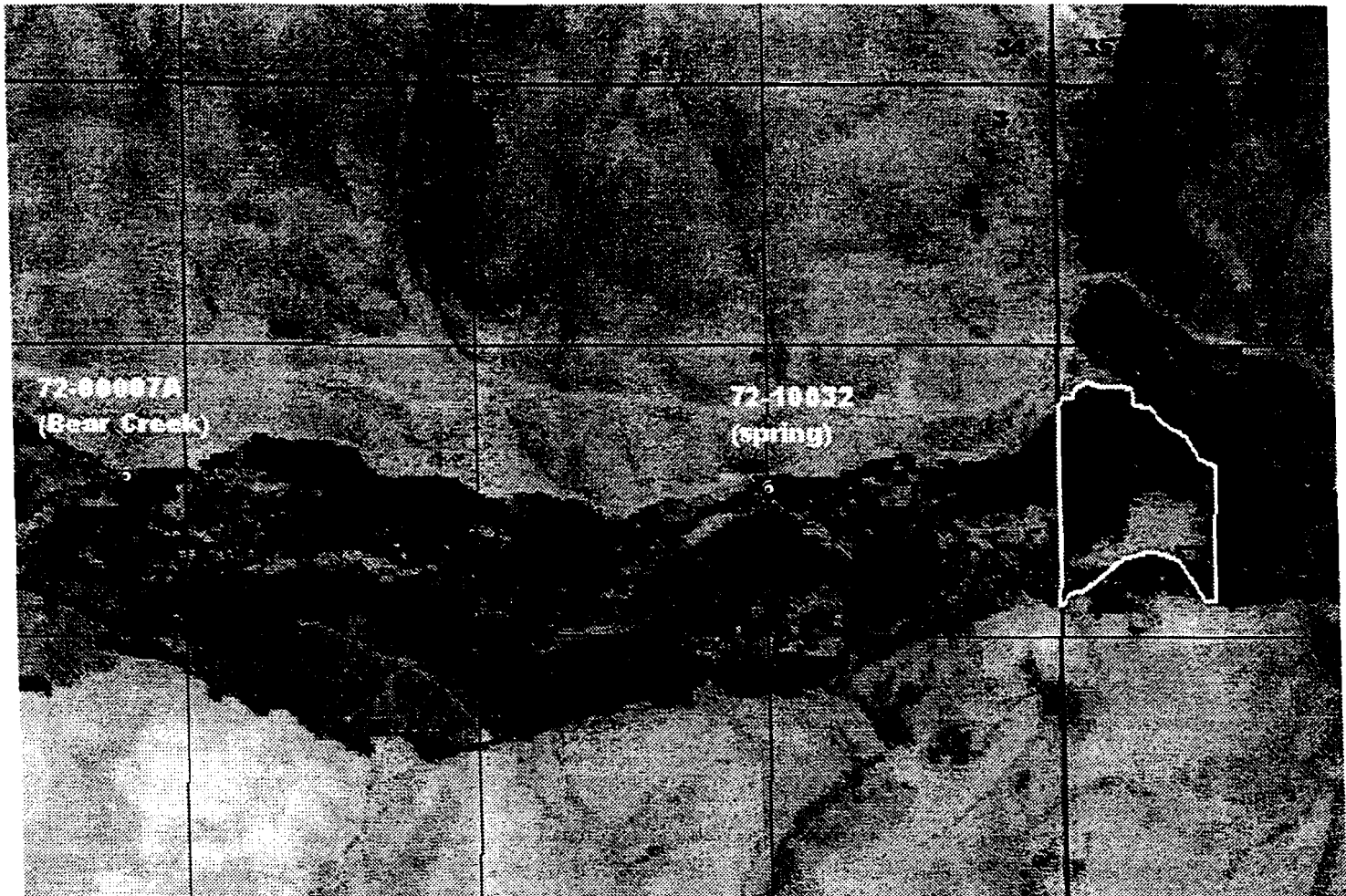
Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

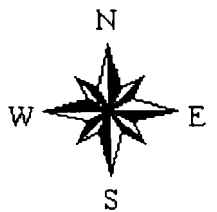
IDAHO DEPARTMENT OF WATER RESOURCES

72-00007A & 72-10032



0 1310 feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 29 1998
TWP 14N, 18E, SEC. 2



RECOMMENDED PLACE OF USE

◊ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

4-1-99
Date

Water District 72-C
Challis Creek
P. O. Box 910
Challis, ID 83226-0910

Subject: Water Right No(s) 72-10033 7200007A 72-10032

Ladies and/or Gentlemen:

In accordance with Water District 72-C, Challis Creek, By-Laws, please be advised that our property and subject applicable water right(s) is incorporated in a tenant, lessor, or contract purchaser agreement with (Please Print):

Gary Olson & Robin Wagner
Name(s)
HC 63 Box 1576
Mailing Address
Challis Idaho 83226
City, State, Zip Code
1-208-879-5820
Telephone

Accordingly, please be advised (check those that apply):

☐ The aforementioned shall have a proxy voting right in our absence at the annual meeting on any District matters that may arise.

☒ The aforementioned shall have the authority to represent our interests with the Watermaster and/or any other District representative(s) on any water issues that may arise during the irrigation season.

It is understood this agreement will expire at the end of the irrigation season, He is buying the (specify year), or upon our prior written notification to the District of such termination.

Thomas N Lewis
Signature of Water Right Owner(s)
475 N 500 West
Mailing Address
Idaho 83252
City, State, Zip Code

(208) 766 9239
Telephone

This document must be notarized (use the reverse side).

5/89

Date received

RECEIVED

AUG 19 1999

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

RECEIVED

JUN 25 1999

Department of Water Resources

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.

ROBIN WEGNER
Name of Claimant

(208) 879-5820

Phone Number

HC 63 BOX 1576

Mailing Address

CHALLIS

City

ID

State

83226

Zip

CUSTER

County(s) where place of use is located

1/12/90

Date claim originally due

A72-16559 and ???

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:

New buyers of property who realized previous owners had not filed on historical delivery of High Water from Challis Creek. They also wish to file on springs which flow onto their property in hopes of resolving water delivery disputes between themselves and watermaster/neighbor. Recommend Extension be granted and waiver of Late Fees. (They are petitioning court to file late claims.)

Claimant requests an extension to July 15, 1999

Signature

June 24, 1999

Date of request

Sr. Water Resource Agent
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

New buyers.

and if granted the filing deadline is extended to September 30, 1999

Signed this 17th day of August, 1999

David R. Tuttle
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

RECEIVED

DEC 1 1999

Department of Water Resources

Robin Wegner

PATRICK D. BROWN, P.C.
Law Offices
109 South Adams
Jerome, ID 83338
Telephone: (208) 644-1967
Facsimile: (208) 633-1970
ISB#4413

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 30 1999	
By _____	Clerk
Deputy Clerk	

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	)	Subcase No. 72-16559
	)	72-16560
	)	72-16566
	)	
	)	ORDER GRANTING MOTIONS TO
Case No. 39576	)	FILE LATE NOTICE OF CLAIM
	)	

On October 19, 1999, the Court heard Claimant's Motions to File Late Notice of Claim in the above-referenced subcases. Based on the stipulation of counsel for the parties made in open court on that day, and because Robin Wegner has closed on certain property, including water rights, adjacent to that owned by Mr. and Mrs. Challis and therefore has standing to be a party in the Snake River Basin Adjudication, the Court hereby grants Wegner's Motion to File Late Notice of Claim

IT IS SO ORDERED This 30 day of November, 1999.

/s/ Barry Wood
R. BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

COPY

CERTIFICATE OF SERVICE

I hereby certify that on the 30 day of November, 1999, I served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Patrick D. Brown
Patrick D. Brown, P.C.
109 South Adams
Jerome, ID 83338

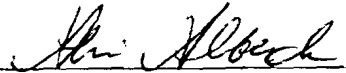
☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

Norman Semanko
Rosholt, Robertson & Tucker
P.O. Box 1905
Twin Falls, ID 83303-1905

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

Director of IDWR
P. O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Robin Wegner
HC 63, Box 1576
Challis, ID 83226

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #A72-16566, A72-16559 and A72-16560

Dear Claimant:

Your Notices of Claim to a Water Right were received from the SRBA Court recently. I have enclosed a computer-generated copy of your stockwater claim #A72-16566 and your receipt for the filing fees for this claim. Please submit filing fees for your two irrigation claims in the amount of \$100.00 (\$50.00 per claim) payable to IDWR and send the payment to my attention. We will proceed processing these two claims upon receipt of the filing fee.

Your Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Technical Section

DVS:ss:region

Enclosures:

Computer-generated Notice of Claim #A72-16566
Receipt #C047302

RECEIVED

JUL - 8 1999

Department of Water Resources

RECEIVED

AUG 06 1999

Department of Water Resources
Southern Region

**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

Subcase

A72-16560

(Insert water right number)

Case 39576

STANDARD FORM 4**MOTION TO FILE:**☐ **LATE NOTICE OF CLAIM**☐ **AMENDED NOTICE OF CLAIM**

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form** for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is ROBIN J. WEGNER

My address is HC 63 BOX 1576

CHALLIS IDAHO 83226

My phone number is: Work _____ Home 208 879 5820

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

I WAS UNAWARE THAT A CLAIM SHOULD BE FILED
FOR HIGH WATER. UPON DISCUSSION WITH AND AT
THE RECOMMENDATION OF IDWR REPRESENTATIVES
WE ARE FILING CLAIM TO A WATER RIGHT.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

A 72-16560

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

IDWR REPRESENTATIVES HAVE VIEWED THE DIVERSION
FOR WATER RIGHT 72-00007A AND DETERMINED
THAT HIGH WATER HAS HISTORICLY AND TRADITIONALLY
BEEN USED IN CONJUNCTION WITH THIS WATER RIGHT.
IDWR RECOMMENDED APPLICATION FOR THIS WATER RIGHT.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 50.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on SEPT 14 AT 1:30 PM

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION (Must be completed)

State of IDAHO

County of CUSTER

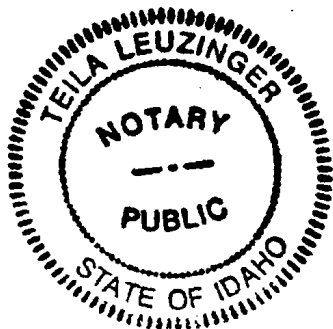
ROBIN J WEGNER, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Robin Wegner
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 7/6/99
(Insert Date)



Teila Leuzinger
Notary Public for ID
Residing at: Challis, ID
My Commission expires: 8-31-2004

INSTRUCTIONS FOR MAILING

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

RECEIVED

DEC 01 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Bozeman, Montana

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

72-16559, ~~72-16560~~, 72-16566

1. Water Right No(s).:

72-10033, 72-10032, 72-10034, 72-00007A

Adjudication Claim No(s).:

72-10033, 72-10032, 72-10034, 72-00007A72-16559, 72-16560, 72-16566

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Thomas and Afton Lewis

4. New Owner/Claimant(s)

Robin J. Wegner

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

HC 63 Box 1576

City, State and ZIP Code

Challis, ID 83226

New Telephone Number

() _____

5. Date you acquired the property

November 2, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner
or Claimant(s)Robin J. Wegner
12/1/99

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

File No.: 307990064C

WARRANTY DEED

FOR VALUE RECEIVED

Thomas H. Lewis and Afton M. Lewis, husband and wife,

0219846

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Robin J. Wegner, an unmarried woman

GRANTEES(s), whose current address is: HC 63 Box 1576, Challis, ID 83226
the following described real property in Custer County, State of Idaho,
more particularly described as follows, to wit:

T1/2 W 1/2 OF THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 14 N., RANGE 18 E., BOISE
MERIDIAN CUSTER COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantor(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 2, 1999

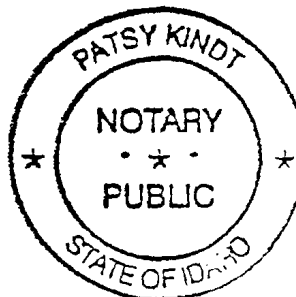
Thomas H. Lewis
Thomas H. Lewis

Afton M. Lewis
Afton M. Lewis

STATE OF IDAHO)
COUNTY OF CUSTER) SS
I hereby certify that the foregoing is a full,
true and correct copy of the original on file
in this office. recorded
Date 12/11/99
Janet D. Anglin
Deputy Clerk

STATE OF Idaho, County of Custer, ss.

On this 2nd day of November, in the year of
1999, before me, the undersigned, a Notary Public in and
for said State, personally appeared
Thomas H. Lewis and Afton M. Lewis



known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same.

Signature: Patsy Kindt

Name:

Residing at:

My commission expires:

Challis Id.

3/12/2004

Transnation Title & Escrow, Inc.

Custer County Rec. of

William A. Tuttle

Time 11:12 A.M.

11/9 1999

Ethel M Peck, Clerk

Janet D. Anglin
Deputy

300

[illegible]

ES 148



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Robin Wegner
HC 63, Box 1576
Challis, ID 83226

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #A72-16566, A72-16559 and **A72-16560**

Dear Claimant:

Your Notices of Claim to a Water Right were received from the SRBA Court recently. I have enclosed a computer-generated copy of your stockwater claim #A72-16566 and your receipt for the filing fees for this claim. Please submit filing fees for your two irrigation claims in the amount of \$100.00 (\$50.00 per claim) payable to IDWR and send the payment to my attention. We will proceed processing these two claims upon receipt of the filing fee.

Your Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Technical Section

DVS:ss:region

Enclosures:

Computer-generated Notice of Claim #A72-16566
Receipt #C047302

05/23/2001

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

WATER RIGHT NUMBER: 72-16560

OWNER AND ADDRESS: ROBIN J WEGNER
HC 63 BOX 1576
CHALLIS, ID 83226

SOURCE: BEAR CREEK TRIBUTARY: CHALLIS CREEK

QUANTITY: 1 CFS

EXPIRATION DATE: 10/10/1911

POINT OF DIVERSION: T14N R18E S3 NESWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	1.00 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County
T14N R18E S2 SWNW 12

12 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-7A, 72-10032, 72-16559, & 72-16560.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND
72-16560.

05/23/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

Right NO. 72-16560

Name and Address
ROBIN J WEGNER
HC 63 BOX 1576
CHALLIS, ID 83226
(208)879-5820

Owner

Date: 10/10/1911
Beneficial Use

CREEK

Tributary to
CHALLIS CREEK

<u>Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
ATION	04/01	10/31	1 CFS		
ersion			1 CFS		

Point(s) of Diversion:

CREEK	NESWNW	Sec. 03	Township 14N	Range 18E	CUSTER County
-------	--------	---------	--------------	-----------	---------------

ATION Use:
Acre Limit: 12

of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Tip</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	18E	2		SWNW	12									

Acres: 12

ons of Approval:

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.

As:

Explanatory THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND 72-16560.

Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-7A, 72-10032, 72-16559, & 72-16560.

Right 72-16560

Date Subject
5/23/01 ADR

Comment
NEW RECOMMENDATION FOR AGRI-CULTURAL LANDS AND
OTHER OPEN SPACES. THE RECOMMENDATION WAS
APPROVED BY 59 TO COMBINE AGRICULTURAL LANDS WITH OPEN SPACES. READY FOR
jr

censed Date:
aim Received Date: 12/17/1999
largement Use Priority Date:
largement Statute Priority Date:
ecreed Date:
ate Filed with Court:
bjection Filed Date:
F5 Filed:
pecial Master Recom Signed Date:

ation:
receipt Number(s): C047466
ate or Federal: S
owner Name Connector:
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

C. J. Jern

05/21/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 72-16560

Owner Type Name and Address
Current Owner ROBIN J WEGNER
 HC 63 BOX 1576
 CHALLIS, ID 83226
 (208)879-5820

Priority Date: 05/01/1879
Basis: Beneficial Use
Status: Active

Source Tributary to
BEAR CREEK CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	11/01	1 CFS		
Total Diversion			1 CFS		

Location of Point(s) of Diversion:

BEAR CREEK NWSWNW Sec. 03 Township 14N Range 18E CUSTER County

IRRIGATION Use:
Acre Limit: 12

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	2		SWNW	12									

Total Acres: 12

Remarks:

1. General HISTORICALLY AND TRADITIONALLY HIGH WATER HAS BEEN USED WITH A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE IRRIGATION UNTIL SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS BE ADJUSTED TO DECREED AMOUNTS. IDWR REPRESENTATIVES DETERMINED HIGH WATER WAS HISTORICALLY AND TRADITIONALLY USED AND RECOMMENDED APPLICATION FOR HIGH WATER RIGHTS.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): C047466
State or Federal: S
Owner Name Connector:
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

revised

05/21/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-16560

Owner Type Name and Address
Current Owner ROBIN J WEGNER
HC 63 BOX 1576
CHALLIS, ID 83226
(208)879-5820

Priority Date: 10/10/1911
Basis: Beneficial Use
Status: Active

Source Tributary to
BEAR CREEK CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	1 CFS		

Total Diversion 1 CFS

Location of Point(s) of Diversion:

BEAR CREEK NESWNW Sec. 03 Township 14N Range 18E CUSTER County

IRRIGATION Use:
Acre Limit: 12

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	2		SWNW	12									

Total Acres: 12

Conditions of Approval:

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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00007A, 72-10032, AND 72-16560.
2. Explanatory THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND 72-16560.

Water Right 72-16560

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
JROBERTS	5/17/00	COPIED FROM REMARKS	HISTORICALLY AND TRADITIONALLY HIGH WATER HAS BEEN USED WITH A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE IRRIGATION UNTIL SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS BE ADJUSTED TO DECREED AMOUNTS. IDWR REPRESENTATIVES DETERMINED HIGH WATER WAS HISTORICALLY AND TRADITIONALLY USED AND RECOMMENDED APPLICATION FOR HIGH WATER RIGHTS.

Dates:

Licensed Date:
Claim Received Date: 12/17/1999
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date: 6/28/00
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C047466
State or Federal: S
Owner Name Connector:
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

RECEIVED**JUL 14 2000**

Robin Wegner

Department of Water Resources

PATRICK D. BROWN, P.C.

Law Offices

Patrick D. Brown, ISB#4413

109 South Adams

Jerome, ID 83338

Telephone: (208) 644-1967

Facsimile: (208) 633-1970

**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

)

A. Subcase 72-16560

)

Case No. 39576

)

STANDARD FORM 2

)

RESPONSE TO OBJECTION

)

)

)

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Robin Wegner
Address: HC 60 Box 1576
Challis ID 83226
Daytime Phone: (208) 879-5820

Name & Address of attorney, if any:

Patrick D. Brown, P.C.
109 S. Adams St.
Jerome, Idaho 83338
ph: (208) 644-1967

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING:**

Name: JR & Patricia Challis
Address: HC 63 Box 1576
Challis, ID 83226

D. I AM RESPONDING TO THE OBJECTIONS TO THE FOLLOWING ELEMENTS. (Please check the appropriate box(es)).

1. Name and Address
2. ☒ Source: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
3. ☒ Quantity: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
4. ☒ Priority Date: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
5. ☒ Point(s) of Diversion: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
6. Instream Flow Description
7. ☒ Purpose(s) of Use: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
8. ☒ Period of Year/Use: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
9. ☒ Place of Use: Should be decreed as recommended by IDWR in its Supplemental Director's Report dated May 19, 2000.
11. Recommendation
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

E. COMMENTS/REASONS.

The basis is the historical and traditional use of the water.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Jerome)

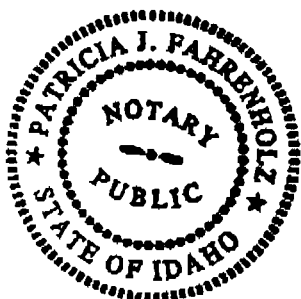
Patrick D. Brown, duly sworn, upon oath, deposes and says:

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

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: July/3/2000.



Patricia J. Fahrenholtz
Notary Public for Idaho
Residing at: Twin Falls
My Commission Expires: 11-09-2004

INSTRUCTIONS FOR MAILING

You must mail the response 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 July 13 2000, I mailed the original and copies of this response, 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:

Name: Robin Wegner
Address: HC 60 Box 1576
Challis ID 83226

3. One copy to the party who filed the objection at the following address:

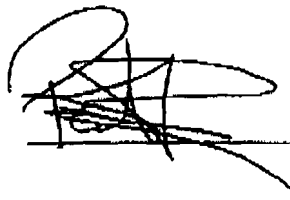
Name: JR & Patricia Challis
Norman M. Semanko
Exec. Director/General Counsel
Address: Idaho Water Users Association, Inc.
410 South Orchard, Suite 144
Boise, ID 83705

4. 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
5550 West Fort Street, MSC 033
Boise, ID 83724



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: 72-16560

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jack and Patricia Challis

Address: P.O. Box 1220
Challis, ID 83226

Daytime Phone: (208) 879-4617

Name & Address of Attorney, if any:

Norman M. Semanko
Rosholt, Robertson & Tucker
P.O. Box 1906
Twin Falls, ID 83303-1906

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

Name: Robin J. Wegner
Address: HC 63 Box 1576
Challis, ID 83226

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: See below
3. ☒ **Quantity:**
Should be: See below
4. ☒ **Priority Date:**
Should be: See below
5. ☒ **Point(s) of Diversion:**
Should be: See below
6. ☐ **Instream Flow Description:**
Should be:
7. ☒ **Purpose(s) of Use:**
Should be: See below
8. ☒ **Period of Year:**
Should be: See below
9. ☒ **Place of Use:**
Should be: See below
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):**

No lawful beneficial use of high water has been made from Bear Creek, as claimed or recommended. Claim No. 72-16560 should be decreed as disallowed, with none of the elements checked.

VERIFICATION

State of Idaho)
)ss.
County of Twin Falls)

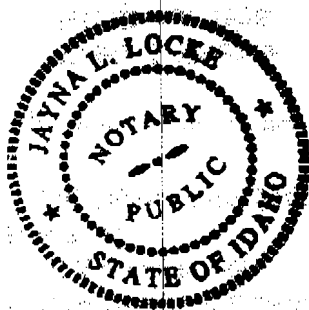
NORMAN M. SEMANKO, duly sworn, upon oath, deposes and says:

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.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 28, 2000.



Jayna L. Locke
NOTARY PUBLIC FOR IDAHO
Residing at: Wendell, Id
My commission expires: 9-25-01

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on June 28, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

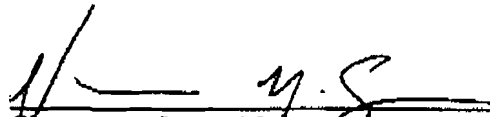
Name: **Robin J. Wegner**
Address: **HC 63 Box 1576**
Challis, ID 83226

3. Copies to:

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

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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



Signature of party/claimant or attorney
mailing on Objector's behalf

2011 - Objectors
Assigned to 10000

(9)

INSTRUCTIONS FOR MAILING

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

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Twin Falls, Idaho 83303-2707

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

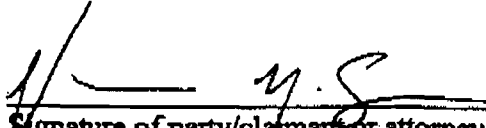
Name: **Robin J. Wegner**
Address: **HC 63 Box 1576**
Challis, ID 83226

3. Copies to:

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

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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


Signature of party/claimant or attorney
mailing on Objector's behalf

AJ0749NP
No. R72-16560

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

DATE: 05/18/00
PAGE: 1

```
=====
OWNER      PRIORITY      USE PERIOD      DIVERSION      DIVERSION
CODE      NAME & ADDRESS      DATE      WATER USE      FROM      TO      RATE      VOLUME
-----
C  ROBIN J WEGNER      10/10/1911  IRRIGATION      04-01  10-31      1.000 CFS
                                           TOTAL DIVERSION:      1.000 CFS

Water Source:  BEAR CREEK      Tributary to:  CHALLIS CREEK      Stage:  BENEFICIAL USE

Point(s) of Diversion:      T14N R18E S03      NESWNW      CUSTER County

Place of use Legal Description for:  IRRIGATION
      NE      NW      SW      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  SUM
-----
14N 18E 2   :      :      :      :      :      :      :      :      :      :      :      :      :
                                           TOTAL ACRES      12.0
                                           12.0
=====
```

POU County: CUSTER

Other Rights: 72-00007A, AND 72-10032

Conditions of Approval:

- 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.

Remarks: POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00007A, 72-10032, AND 72-16560.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND 72-16560.

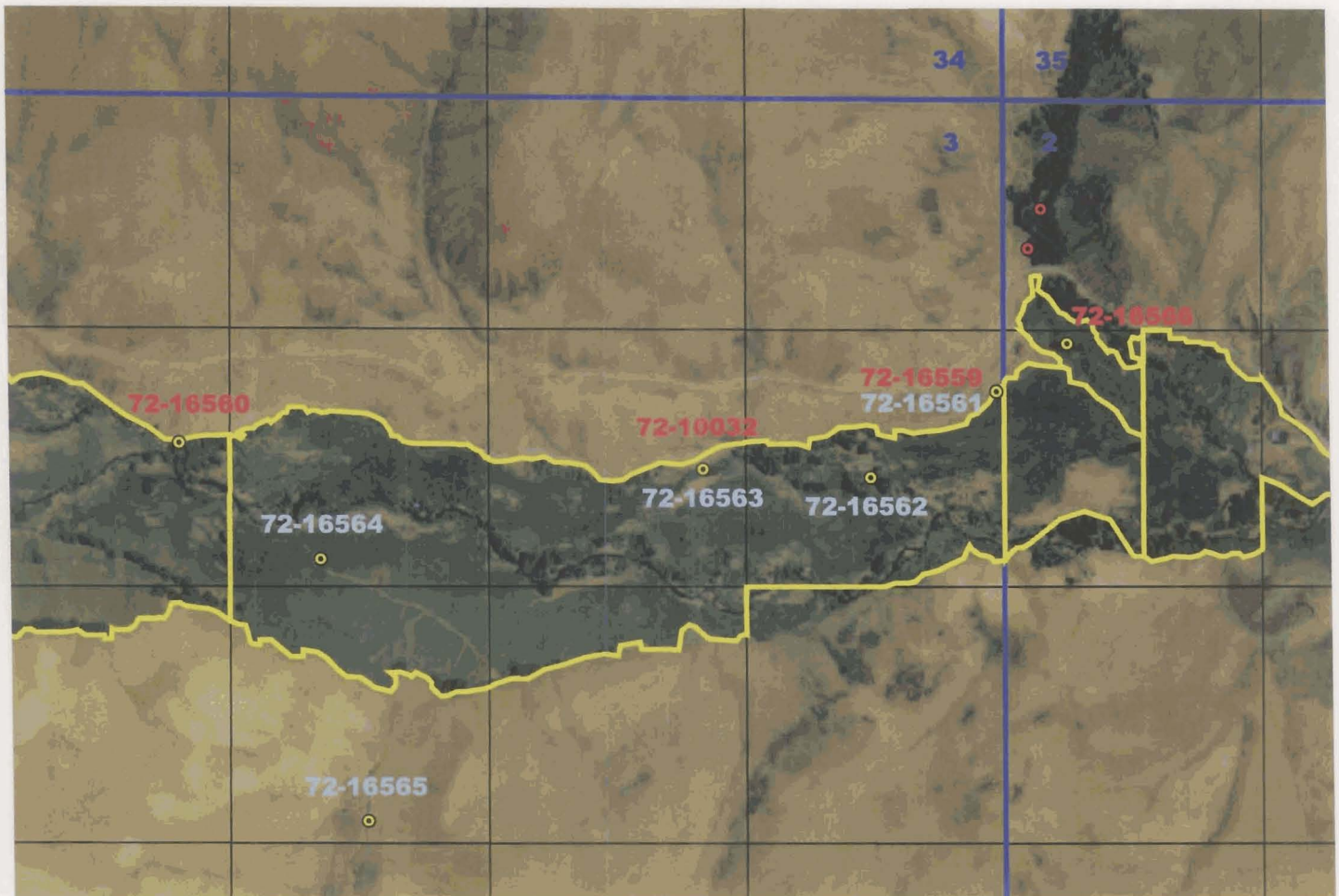
Dates: Exam Made Date: 04/28/2000 Verified Date: Objection Filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES

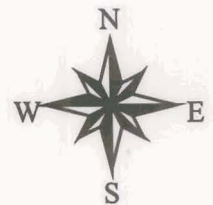
Wegner: 72-10032, 72-16559, 72-16560, 72-16566

**Challis: 72-16561, 72-16562, 72-16563, 72-16564,
72-16565**



0 1320 Feet

**RECOMMENDED PLACE OF USE
DATA ENTRY ON MAY 19, 2000
TWP 14N, R18E, SEC . 2 & 3**



-  **RECOMMENDED PLACE OF USE**
-  **RECOMMENDED POINT OF DIVERSION**
-  **SECTION LINES**
-  **QUARTER QUARTER LINES**

**GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON**

AJ0749NP
No. R72-16560

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

DATE: 05/18/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBIN J WEGNER	10/10/1911	IRRIGATION	04-01 10-31	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: BEAR CREEK

Tributary to: CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14N R18E S03

NESWNW

CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
14N	18E	2	:								12									:	12.0
																				TOTAL ACRES	12.0

POU County: CUSTER

Other Rights: 72-00007A, AND 72-10032

Conditions of Approval:

- 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.

Remarks: POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00007A, 72-10032, AND 72-16560.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND 72-16560.

Dates: Exam Made Date: 04/28/2000 Verified Date: Objection Filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

RE

AJ0749NP
No. R72-16560

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

DATE: 05/17/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBIN J WEGNER	10/10/1911	IRRIGATION	04-01 10-31	1.000 CFS	7
TOTAL DIVERSION:					1.000 CFS	.

Water Source: BEAR CREEK

Tributary to: CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T14N R18E S03

NESWNW

CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
14N	18E	2	:															:	12.0	
																			TOTAL ACRES	12.0

POU County: CUSTER

Other Rights: 72-00007A, 72-10032, ~~72-16559~~

Conditions of Approval:

- 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.

Remarks: POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00007A, 72-10032, ~~72-16559~~, AND 72-16560.

EXP THE FOLLOWING RIGHTS ARE ~~At so~~ DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368,
AND 72-16560.

Dates: Exam Made Date: 04/28/2000

Verified Date:

Objection Filed Date:

Misc: Water District Number: 72C

Field Inspection Flag:
Presumption Flag:

*much less
or*

*Rem
72-10032
72-16559
72-16560*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:17:55
05/17/00
9

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A72-16560

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBIN J WEGNER	05/01/1879 10/10/1911	IRRIGATION	05-01 11-01 4-1-1921	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: BEAR CREEK

Tributary to: CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T14N R18E S03

NWSWNW

CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
14N	18E	2	:					:					:					:						12.0
TOTAL ACRES																							12.0	

POU County: CUSTER

Other Rights: A72-00007A, A72-10032

Remarks: GEN HISTORICALLY AND TRADITIONALLY HIGH WATER HAS BEEN USED WITH A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE IRRIGATION UNTIL SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS BE ADJUSTED TO DECREED AMOUNTS. IDWR REPRESENTATIVES DETERMINED HIGH WATER WAS HISTORICALLY AND TRADITIONALLY USED AND RECOMMENDED APPLICATION FOR HIGH WATER RIGHTS.

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

Misc: Water District Number: 72C Field Inspection Flag: Presumption Flag:

REVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-16560

DATE: 5/19, ²⁰⁰⁰~~1998~~

REVIEWED BY

[Signature]

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BB2						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06
PD2	.11	.12				5.15 4.74
RE2	.29	.21				3.15 4.74
RP1	.19	.21				4.89 4.57
SH1	.06	.05				9.37 12.10
SOC	.08	.07				7.38 8.08
SSA	.15	.14				4.79 5.01
SXF	.12	.11				6.14 6.80
TC1	.06	.06				9.82 9.55
TD1	.04	.03				12.46 16.50
WB2	.13	.13				5.37 5.43
WAA	.19	.16				3.81 4.23
WBB	.17	.14				3.36 3.84
WC1	.07	.06				11.24 13.45
WPT	.19	.15				3.16 3.69
WV1	.07	.06				11.24 13.45
XHS						
YN1	.18	.14				5.38 6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<i>Cp1</i>	<i>2.61</i>	<i>7</i>	<i>12</i>	<i>.36</i>	<i>4.32</i> CFS
					CFS
					CFS
					CFS

TOTAL ACRES

12

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

1 cfs

Recommend as claimed

Robin Wegner

HC 63 Box 1576
Challis, Idaho 83226

Phone: (208) 879-5829

DEC 16 1999

Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720 - 0098

Attn: Donald Shaff

Re: Claim A72 - 16559 and A72 - 16560

Dear Sir;

Upon application for the above numbered water claims, Our checks #1970 and #1971 for the sum of \$ 50.00 each were enclosed with the respective applications. The SRBA Court has no record of the checks and recommended that a stop payment be placed for checks # 1970 and # 1971. This action has been taken.

Please find enclosed replacement checks for the filing fees for the above numbered water claims.

Respectfully,



Robin Wegner

Administrative Claim Fee
0330 41503 1153

For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0047465

Date: 12/17/1997
Time: 14:06:22

Received
From: WEGNER ROBIN

Type of Payment

Program A cct

Amount

JUD CLAIM FEES

41503

337

1155

50.00

CHECK

2185

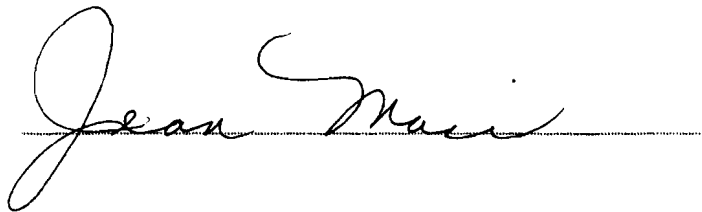
Total

\$

50.00

Region: STATE

Signature:



For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0047450

Date: 12/17/1999
Time: 14:06:54

Received
From: WEGNER ROBIN

Type of Payment	Program A cct	Amount
JUD. CLAIM FEE	41503 337 1155	50.00
CHECK 2186		
	Total	\$ 50.00

Region: STATE

Signature: Jean Muri

DEC 1 1999

Department of Water Resources

County of Twin Falls - State of Idaho

NOV 30 1999

By

Clerk

Deputy Clerk

Robin Wegner

PATRICK D. BROWN, P.C.

Law Offices

109 South Adams

Jerome, ID 83338

Telephone: (208) 644-1967

Facsimile: (208) 633-1970

ISB#4413

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

)
)
)
)
)
)
)

Subcase No. 72-16559

~~72-16560~~

72-16566

Case No. 39576

ORDER GRANTING MOTIONS TO
FILE LATE NOTICE OF CLAIM

On October 19, 1999, the Court heard Claimant's Motions to File Late Notice of Claim in the above-referenced subcases. Based on the stipulation of counsel for the parties made in open court on that day, and because Robin Wegner has closed on certain property, including water rights, adjacent to that owned by Mr. and Mrs. Challis and therefore has standing to be a party in the Snake River Basin Adjudication, the Court hereby grants Wegner's Motion to File Late Notice of Claim

IT IS SO ORDERED This 30 day of November, 1999.

/s/ Barry Wood
R. BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

DEC 17 1999

Department of Water Resources
Robin Wegner

RECEIVED

DEC 1 1999

Department of Water Resources

PATRICK D. BROWN, P.C.

Law Offices

109 South Adams

Jerome, ID 83338

Telephone: (208) 644-1967

Facsimile: (208) 633-1970

ISB#4413

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 30 1999

By _____ Clerk
Deputy Clerk

10-27-99
Leoni

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	)	Subcase No. 72-16559
	)	~~72-16559~~
	)	72-16566
	)	
	)	ORDER DENYING MOTION TO
Case No. 39576	)	DISMISS
	)	

On October 19, 1999, the Court heard the Challis' Motion to Dismiss. Based on the stipulation of counsel for the parties made in open court on that day, the Court hereby orders that the Motion to Dismiss is denied because Robin Wegner has closed on certain property, including water rights, adjacent to that owned by Mr. and Mrs. Challis and therefore has standing to be a party in the Snake River Basin Adjudication.

IT IS SO ORDERED This 30 day of November, 1999.

/s/ Barry Wood
R. BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

SRBA

SUBCASE SUMMARY REPORT 72-16560

[Return to SRBA Home Page](#)

SRBA
12-15-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-16560 FILE#: 00393
CLAIMANT: WEGNER, ROBIN J.

STATUS: LATE CLAIM DISPOSED

WATER SOURCE: * ERROR,

**** PARTIES INVOLVED ****

NO ACTIVE PARTIES TO THE SUBCASE

**** ROA ENTRIES ****

07-07-1999	MOTION TO FILE LATE NOTICE OF CLAIM	MG	11-30-1999
07-13-1999	HEARING SET - LATE NOTICE OF CLAIM	HV	09-14-1999 0130
08-31-1999	EXPEDITED MOTION TO RESET F/B CHALLIS	MG	08-31-1999
08-31-1999	AFFIDAVIT OF J R CHALLIS		
08-31-1999	MOTION TO DISMISS	MD	11-30-1999
08-31-1999	AND RESPONSE IN OPPOSITION TO MOTIONS TO FILE LATE NOTICE OF CLAIM F/B CHALLIS		08-31-1999
08-31-1999	NOTICE OF APPEARANCE FOR J R & PATRICIA W CHALLIS F/B SEMANKO		
08-31-1999	ORDER CONTINUING HEARING ON MOTIONS TO FILE LATE NOTICE OF CLAIM LOCATION: CHALLIS, IDAHO	HS	10-19-1999 0130
09-24-1999	NTC OF APPEARANCE - BROWN FOR THOR & WEGNER		
10-12-1999	AFFIDAVIT OF THOMAS LEWIS		
10-12-1999	AFFIDAVIT OF ROBIN WEGNER		
10-18-1999	REPLY TO AFFIDAVITS OF ROBIN WEGNER AND THOMAS LEWIS AND NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP (F/B CHALLIS)		10-18-1999
10-19-1999	HEARING HELD	HH	10-19-1999 0130
10-19-1999	MINUTES		
11-24-1999	AFFIDAVIT OF ROBIN WEGNER		
11-30-1999	ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM		
11-30-1999	ORDER DENYING MOTION TO DISMISS		
11-30-1999	LATE CLAIM FORWARDED TO IDWR; CASE DISPOSED		11-30-1999

[Return to SRBA Home Page](#)

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.

J R CHALLIS and PATRICIA W CHALLIS, CHALLIS CREEK RANCH (208) 879-4617
Name of Claimant Phone Number

PO BOX 1220 CHALLIS ID 83226
Mailing Address City State Zip

CUSTER 1/12/90
County(s) where place of use is located Date claim originally due

?????????
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:

Claimants wish to file additional claims on springs in hopes of resolving water
delivery disputes with neighbor. Recommend Extension be granted and waiver of
Late Fees. (They are petitioning court to file late claims.)

Claimant requests an extension to July 15, 1999

Jeanie Robertson June 24, 1999
Signature Date of request

Sr. Water Resource Agent
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Other claims were filed timely.

and if granted the filing deadline is extended to September 30, 1999

Signed this 17th day of August, 1999

David R. Tuttle
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

RECEIVED
JUL - 8 1999
Department of Water Resources

RECEIVED
AUG 06 1999
Department of Water Resources
Salem, Oregon

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

Subcase

A72-16560

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form** for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is ROBIN J. WEGNER

My address is HC 63 BOX 1576

CHALLIS IDAHO 83226

My phone number is: Work _____ Home 208 879 5820

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

I WAS UNAWARE THAT A CLAIM SHOULD BE FILED
FOR HIGH WATER. UPON DISCUSSION WITH AND AT
THE RECOMMENDATION OF IDWR REPRESENTATIVES
WE ARE FILING CLAIM TO A WATER RIGHT.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

7 I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

IDWR REPRESENTATIVES HAVE VIEWED THE DIVERSION
FOR WATER RIGHT 72-00007A AND DETERMINED
THAT HIGH WATER HAS HISTORICLY AND TRADITIONALLY
BEEN USED IN CONJUNCTION WITH THIS WATER RIGHT.
IDWR RECOMMENDED APPLICATION FOR THIS WATER RIGHT.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 50⁰⁰.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on SEPT 14 AT 1:30 PM

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION (Must be completed)

State of IDAHO

County of CUSTER

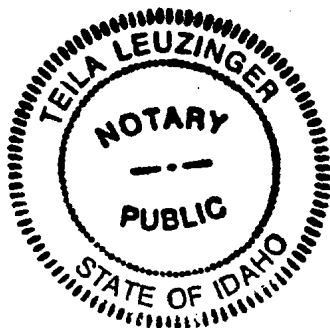
ROBIN J WEGNER, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Robin J Wegner
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 7/6/99
(Insert Date)



Teila Leuzinger
Notary Public for ID
Residing at: Challis, ID
My Commission expires: 8-31-2004

INSTRUCTIONS FOR MAILING

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

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

A72-16560

Date Received

Receipt Number

C047466

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROBIN J. WEGNER Phone (208) 879 5820Mailing Address HC63 BOX 1576 CHALLIS, ID Zip 832262. Date of Priority (Only one (1) per claim) 18793. Source of water supply (a) BEAR CREEK
which is tributary to (b) CHALLIS CREEK4. a. Location of existing point of diversion is: Township 14N Range 18E Section 03,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CUSTER

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township 14N Range 18E Section 02, NW 1/4 of SW 1/4 ofNW 1/4, Govt. Lot _____ B.M., County of CUSTER5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

EXISTING DIVERSION HEADGATE
AND WEIR FOR WATER RIGHT A72-00007A. HISTORICLY
AND TRADITIONALLY HIGH WATER IS INCLUDED WITH A72-00007A
NO IMPROVEMENTS REQUIRED.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 1 MAY to 1 NOV amount 1.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	18E	2						12											

Total number of acres irrigated 12

11. In which county (ies) are lands listed above as place of use located? CUSTER

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A-7200007A, A72-10032 or None ()

14. Remarks: PURCHASING PROPERTY WATER DISTRICT AUTHORITY FORM
ENCLOSED. HISTORICLY AND TRADITIONALLY HIGH WATER HAS
BEEN USED WITH A72-00007A RIGHT TO SEAL DITCHES AND PROVIDE
IRRIGATION UNTIL SUCH TIME WATER NEEDS REQUIRE THAT RIGHTS
BE ADJUSTED TO DECREED AMOUNTS. IDWR REPRESENTATIVES
DETERMINED HIGH WATER WAS HISTORICLY AND TRADITIONALLY USED AND
RECOMMENDED APPLICATION FOR HIGH WATER RIGHTS.

Last Name WEGNER Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Last Name _____ **Ident No.** _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robin Fuller Date 7 JUL 99

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 6 day of July 19 99



Notary Public Tessa Leuzinger

Residing at Challis, ID

My Commission Expires 8-31-2004

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

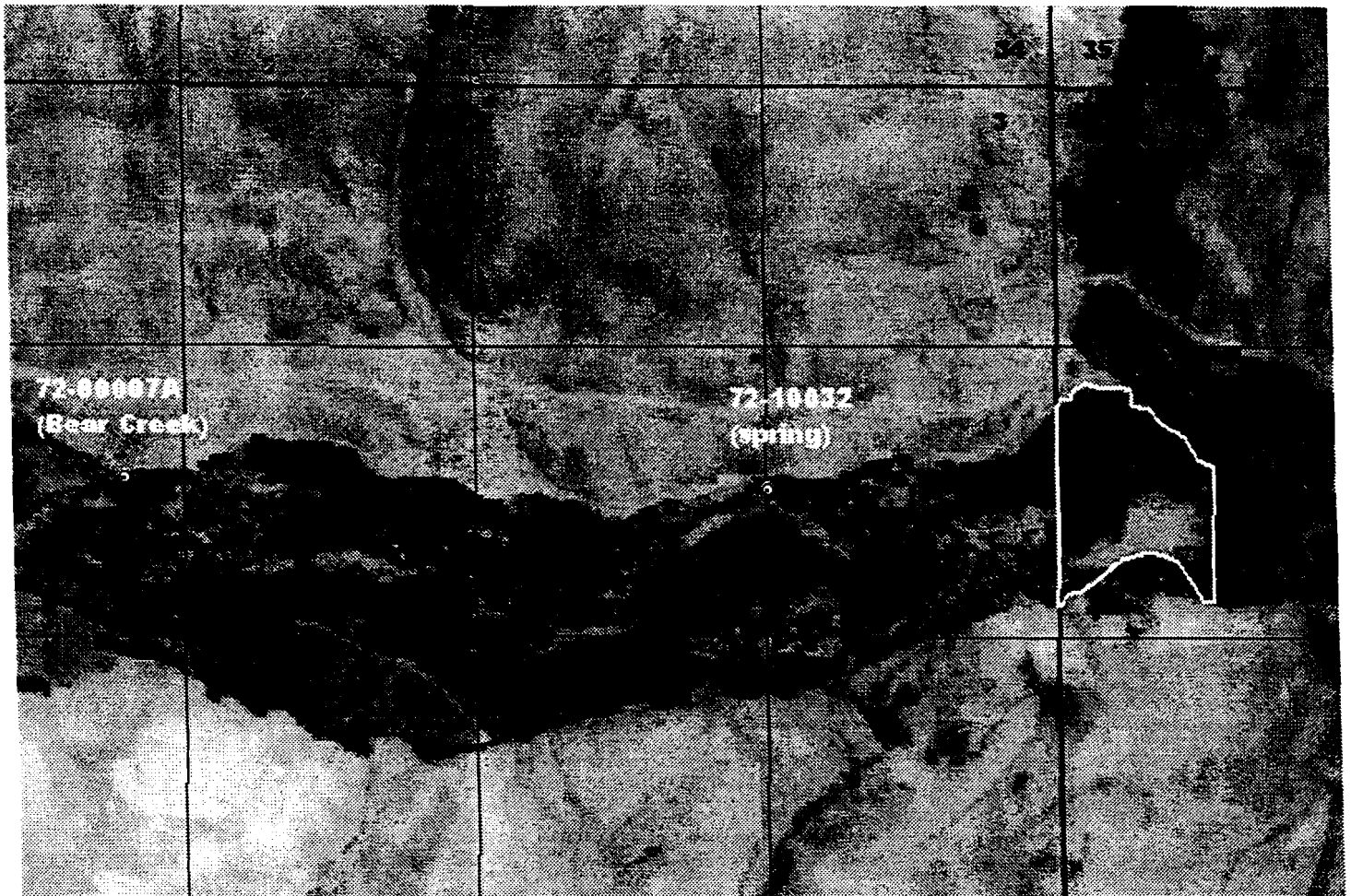
Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

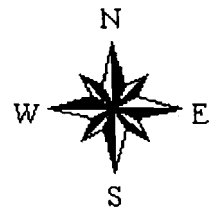
IDAHO DEPARTMENT OF WATER RESOURCES

72-00007A & 72-10032



0 1320 feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 29 1998
TWP 14N, 18E, SEC. 2



- RECOMMENDED PLACE OF USE
- ⊙ RECOMMENDED POINT OF DIVERSION
 - SECTION LINES
 - QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

4-1-99
Date

Water District 72-C
Challis Creek
P. O. Box 910
Challis, ID 83226-0910

Subject: Water Right No(s). 72-10033 7200007A 72-10032

Ladies and/or Gentlemen:

In accordance with Water District 72-C, Challis Creek, By-Laws, please be advised that our property and subject applicable water right(s) is incorporated in a tenant, lessor, or contract purchaser agreement with (Please Print):

Gary & Robin Wagner
Name(s)
HC 63 Box 1576
Mailing Address
Challis Idaho 83226
City, State, Zip Code
1-208-879-5820
Telephone

Accordingly, please be advised (check those that apply):

☐ The aforementioned shall have a proxy voting right in our absence at the annual meeting on any District matters that may arise.

☒ The aforementioned shall have the authority to represent our interests with the Watermaster and/or any other District representative(s) on any water issues that may arise during the irrigation season.

It is understood this agreement will expire at the end of the irrigation season, He is buying the (specify year), or upon our prior written notification to the District of such termination.

Thomas N Lewis
Signature of Water Right Owner(s)
475 N 500 West
Mailing Address
Idaho 83252
City, State, Zip Code

(208) 766 9239
Telephone

This document must be notarized (use the reverse side).