

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: A37-12836  
Date Received: 2/07/1989  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

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

1. Name: PIONEER WELL SYSTEM 208-726-5941  
Address: P.O. BOX 2515  
SUN VALLEY, ID 83353

2. Date of Priority: JUL 31, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 18E   | 18      | SW     | SE     | SW     |     | BLAINE |

5. Description of diverting works:  
180 FT. WELL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.070  |      |        |
| IRRIGATION | 04/15 | 10/15 | 0.070  |      |        |

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

8. Total consumptive use is 6.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/7 HOMES

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 04N           | 18E   | 18      | SE     | SW     |     | IRR | 2.4   |
| Section Acres |       |         |        |        |     |     | 2.4   |

10. Place of Use: Continued

Total Acres 2.4

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
NONE

14. Remarks:  
DELIVERY ORGANIZATION FOR HOME OWNERS.

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 Organizations:**

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

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

Date Received

Receipt Number

A37-12836

10-07-88

CPO5427

2-07-89

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
FEB 07 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) PIONEER WELL SYSTEM Phone (208) 774-5941Mailing Address Box 2515, SUN VALLEY, ID Zip 833532. Date of Priority (Only one (1) per claim) July 19463. Source of water supply (a) GROUND WATER (WELL)  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 4N Range 18E Section 18,  
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of BLAINE

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 \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

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.Well - 180 ft. deep.

COPY

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from Jan. 1 to Dec. 31 amount 0.07 or \_\_\_\_\_

For IRRIGATION purposes from April 15 to Oct. 15 amount 0.07 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.14 (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.) DOMESTIC - 7 HOUSEHOLDS

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 |        |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | 2.4 ac. |        |       |       |       |        |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | D       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |         |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

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. \_\_\_\_\_ or None (X)

14. Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name DEMETRE Ident No. \_\_\_\_\_

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Copies: White - State, Yellow - Claimant  
**MAR 01 1993**



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 \_\_\_\_\_

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

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am SECRETARY / TREASURER  
Title  
of PIONEER WELL SYSTEM that I have signed the foregoing  
Organization  
document in the space below as SECRETARY / TREASURER of PIONEER WELL SYSTEM  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Julia Demetre

Title and Organization PIONEER WELL SYSTEM Date 2/1/89

State of Idaho/or \_\_\_\_\_ )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 1st day of February 1989

SEAL

Notary Public Jallen Barner

Residing at Ketchum Idaho

My Commission Expires April 23, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ 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 DEMETRE Ident. Number \_\_\_\_\_

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Copies White-Store Yellow-Claim  
MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 19, 1989

Ms. Judy Demetre  
Secretary/Treasurer  
Pioneer Well System  
P. O. Box 2515  
Sun Valley, ID 83353

RE: Snake River Basin Adjudication SRBA

Dear Ms. Demetre:

We are returning your Notice of Claim to a Water Right filed for property in Blaine County served by the Pioneer Well System and your check #1876 in the amount of \$59.00. We have noted some problems with your claim which we would like you to correct.

The form you have used is limited to single family domestic water rights, comprised of a household and less than one-half acre of irrigation. Your claim shows seven households and two and four-tenths acres of irrigation. The proper form and instructions are enclosed for your use. If you claim the same amounts and usages when you refile your claim, the fee would stay the same at \$59.00; \$50.00 filing fee, \$7.00 for domestic use and \$2.00 for irrigation usage (acreages are rounded).

Please return the documents to this office at my attention. If you will make these corrections before February 20, 1989, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Donald V. Shaif  
Adjudication Section Supervisor

DVS:db  
Enclosures  
Short Form Completed  
Check #1876, \$59.00  
Long Form w/Instructions

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MAR 01 1993

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 \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

NOTICE OF CLAIM  
TO A  
WATER RIGHT

## ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED

OCT 2 1988

Department of Water Resources  
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Pioneer Well System Phone (208) 726-5941Mailing Address Box 2515, Sun Valley, ID Zip 833532. Date of Priority (Only one (1) per claim) July 19463. Source of water supply (a) Ground water (well)  
which is tributary to (b) \_\_\_\_\_4. Location of point of diversion is: Township 4N Range 18Section 18, SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, B.M.,County of Blaine

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. \_\_\_\_\_

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)  
For Domestic purposes from Jan 1 to Dec. 31 amount 0.07For Irrigation purposes from April 15 to Oct. 15 amount 0.077. Total quantity claimed 0.04  
0.07 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of  
livestock) D/7 Houses

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MAR 01 1993

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place below.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |        | SE 1/4 |       |       |       |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|--------|--------|-------|-------|-------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4  | NE1/4  | NW1/4 | SW1/4 | SE1/4 |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | 2.4ac. |        |       |       |       |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | D      |        |       |       |       |

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

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.  
\_\_\_\_\_ or None (X )

14. Remarks: \_\_\_\_\_

15. Basis of Claim (check one) Beneficial Use XXX 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) Judy Demitree Date 10-4-88  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Secretary/Treasurer  
\_\_\_\_\_ Title

of Pioneer Well System \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as Secretary/Treasurer of Pioneer Well System  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Judy Demitree  
Title and Organization Secretary/Treasurer, Pioneer Well System Date 10/3/88

State of Idaho/or \_\_\_\_\_ )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of October 19 88

SEAL

Notary Public

Residing at

Ketchum

My Commission Expires

March 1993

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies of this document are being made

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**MAR 01 1993**

# Pioneer Well System

Located at Township 4N Range 18 Section 18

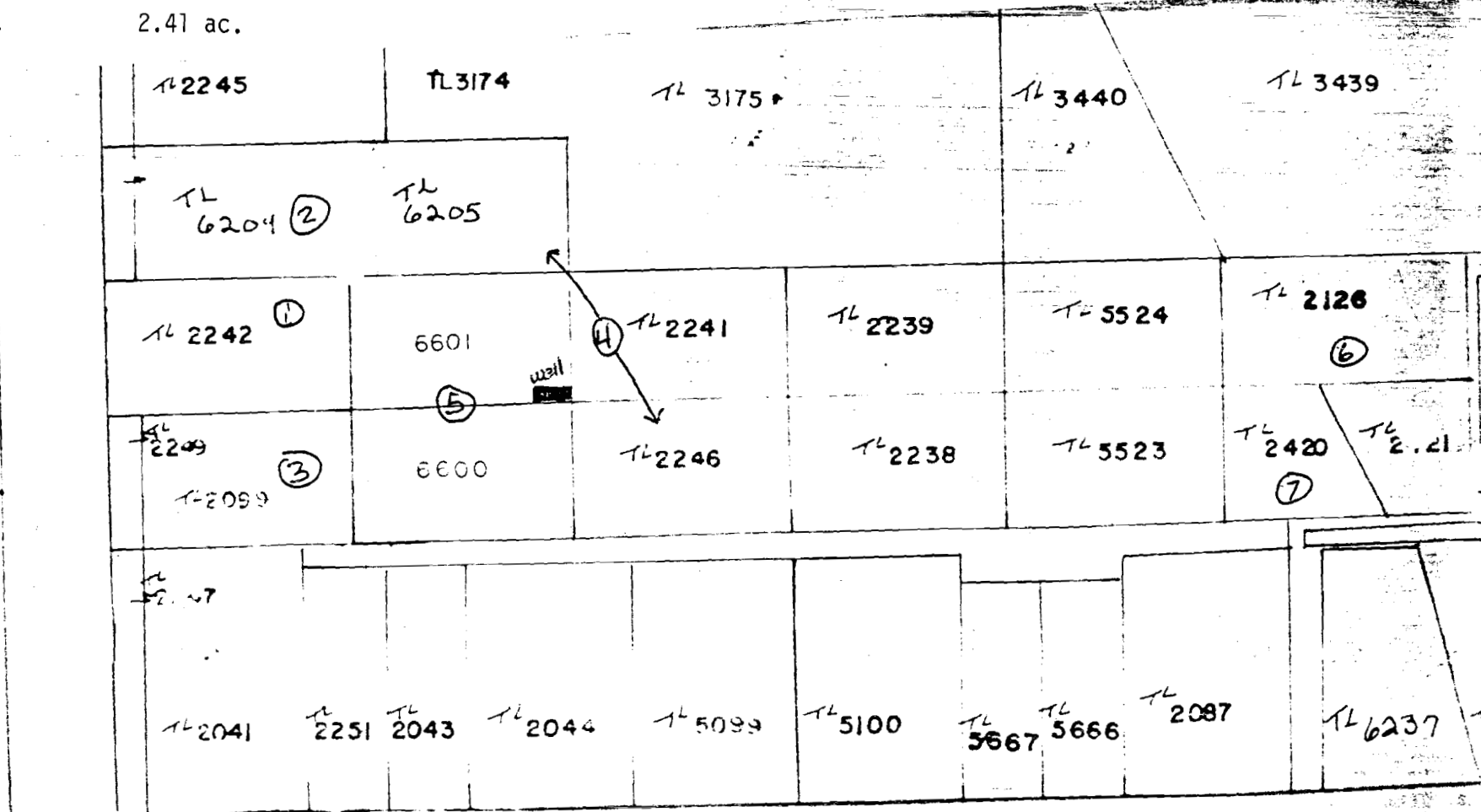
All properties located in this section. Well located in this section, Tax Lot 2241

All claimants have a one/seventh (1/7) interest in and to that certain well and equipment situated on Tax Lot 2241.

The claimants are:

1. Haley Zimmerman .28 ac.
2. Joy Prentice .319 ac.
3. Gary Vinagre .28 ac.
4. Bee Haemmerle .50 ac.
5. Margaret Wayne .50 ac.
6. Judy Demetre .38 ac.
7. Mariana Zwetell .150 ac.

TOTAL 2.41 ac.



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MAD 0 1 1000

This is a high-contrast, black and white map of a region in Idaho. The map shows a grid system with handwritten text 'T4N.' in the upper right corner. Key geographical features and locations include:

- Snake River**: Labeled vertically on the left side of the map.
- Ketchum**: A town located in the lower-left quadrant.
- Sun Valley**: A town located in the upper-middle section.
- Dollar Mountain**: A large mountain range in the center-right.
- Prospect Hill**: A hill located to the right of Sun Valley.
- Water Tanks**: Located near Sun Valley.
- Sewage Disposal**: Located near Sun Valley.
- Radio Tower**: Located near Dollar Mountain.
- Penny Mtn**: Located near Ketchum.
- Elk Horn**: A small peak or area near the bottom right.
- Trail**: Several trails are marked, including 'Ski Lift Trail' and 'Pack Trail'.
- Highway 93**: A major road running vertically through the center.
- Grid Numbers**: Numbers 8, 17, 18, 19, and 20 are visible within the grid squares.
- Other Labels**: 'Boundary', 'Corporate', 'Ketchum', 'Valley', 'Ski Lift', 'Well', 'Gulch', and 'PACIFIC' are also present.

The map is labeled 'MICROFILMED' at the bottom right corner.

MAR 01 1993



**IDWR Concurrence:**

Kelly L. Christensen 5-13-10  
IDWR Agent Date

\_\_\_\_\_  
Deputy Attorney General, IDWR Date

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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. Copies to:

PIONEER WELL SYSTEM  
Represented by:  
HAEMMERLE, FRITZ X.  
PO BOX 1800  
HAILEY, ID 83333

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

\_\_\_\_\_  
Signature of person or attorney mailing the form

03/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-12836  
NAME AND ADDRESS: PIONEER WELL SYSTEM  
C/O JULIE DAHLGREN  
PO BOX 4402  
KETCHUM ID 83340

SOURCE: GROUND WATER  
QUANTITY: 0.100 CFS  
7.50 AFY

TRIBUTARY:

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1947 ~~1951~~

*FWH* *KKC*

POINT OF  
DIVERSION:

T04N R18E S18 SWSESW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 01/01 12/31          | 0.070 CFS<br>3.60 AFY |
| IRRIGATION            | 04/15 10/31          | 0.030 CFS<br>3.90 AFY |

Domestic use is for 6 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S18 SESW 1.10

DOMESTIC in BLAINE County

T04N R18E S18 SESW

1.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion is located within Tax Lot 6601

Property is also known as Tax Lots 6204 (aka Lt 2 Shelby Duke subdivision), 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

*FWH*

03/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-12836  
NAME AND ADDRESS: PIONEER WELL SYSTEM  
C/O JULIE DAHLGREN  
PO BOX 4402  
KETCHUM ID 83340

VERIFIED BY KKC  
5-12-10

SOURCE: GROUND WATER TRIBUTARY:  
QUANTITY: 0.100 CFS  
7.50 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1947 ~~1951~~

POINT OF  
DIVERSION: T04N R18E S18 SWSESW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 01/01 12/31          | 0.070 CFS<br>3.60 AFY |
| IRRIGATION            | 04/15 10/31          | 0.030 CFS<br>3.90 AFY |

Domestic use is for 6 homes.

PLACE OF USE: IRRIGATION in BLAINE County  
T04N R18E S18 SESW 1.10  
DOMESTIC in BLAINE County  
T04N R18E S18 SESW

1.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion is located within Tax Lot 6601

Property is also known as Tax Lots 6204 (aka Lt 2 Shelby Duke subdivision), 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-12836  
NAME AND ADDRESS: PIONEER WELL SYSTEM  
C/O JULIE DAHLGREN  
PO BOX 4402  
KETCHUM ID 83340

VERIFIED BY

KKC  
3-12-10

SF-5

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS  
7.50 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1947 1951

POINT OF  
DIVERSION:

T04N R18E S18 SWSESW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 01/01 12/31          | 0.070 CFS<br>3.60 AFY |
| IRRIGATION            | 04/15 10/31          | 0.030 CFS<br>3.90 AFY |

Domestic use is for 6 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S18 SESW 1.10

DOMESTIC in BLAINE County

T04N R18E S18 SESW

1.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion is located within Tax Lot 6601

Property is also known as Tax Lots 6204, 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-12836 V1

WATER RIGHT NUMBER: 37-12836 V1

Owner Type                      Name and Address  
 Current Owner                  PIONEER WELL SYSTEM  
                                          C/O JULIE DAHLGREN  
                                          PO BOX 4402  
                                          KETCHUM, ID 83340  
                                          (208) 726-2505

Attorney                      HAEMMERLE & HAEMMERLE  
                                          PO BOX 1800  
                                          HAILEY, ID 83333  
                                          (208) 578-0520

*obj Res 3 directory*  
*37-12836 Pioneer Well System (904 Shapefile)*

Priority Date: 12/31/1951  
 Basis: Beneficial Use  
 Status: Active

*3-10-10*  
*e-mailed*  
*Carrie for file scan*

Source                                      Tributary

GROUND WATER

| <u>Beneficial Use</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------|-----------|-----------------------|----------------------|
| DOMESTIC                | 01/01       | to 12/31  | 0.070 CFS             | 3.60 AF              |
| IRRIGATION              | 04/15       | to 10/31  | 0.030 CFS             | 3.90 AF              |
| <u>Total Diversion:</u> |             |           | 0.100 CFS             | 7.50 AF              |

Location of Point(s) of Diversion

GROUND WATER                      SW1/4SE1/4SW1/4                      Sec. 18, Twp 04N, Rge 18E, B.M.

BLAINE County

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 18E | 18  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      |

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 | 18E | 18  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.1    |

Total Acres: 1.1

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.
2. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
3. X01 Domestic use is for 6 homes.
4. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
5. X59 Point of diversion is located within Tax Lot 6601
6. J01 Property is also known as Tax Lots 6204, 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

Comments:

1. jpeppers 12/16/2006 evidence of priority

Comment: Claimant did not respond to request for evidence of priority. Might be an old address. Added new address from taxlot data. Searched well log data and did not find well. Statutory claim filed under 37-4027. Did not find evidence of priority in file.

2. jpeppers 1/31/2007 Notice of Error

Comment: Notice of Error filed Jan. 18, 2007, included change in address. Evidence of priority submitted Jan. 26, 2007. Updated recommendation, see file for details.



# Idaho Department of Water Resources

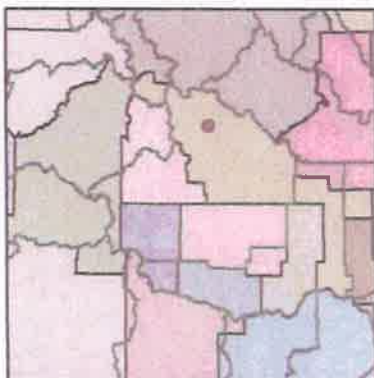
SRBA Recommendation:

**37-12836**

(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37



0 0.1 0.2 Miles



Owner: Pioneer Well System

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by J. PEPPERS  
On Thursday, February 1, 2007  
2004 Aerial Photography

Memorandum

Date: February 1, 2007

To: AJ File 37-12836

From: Jeff Peppersack

Re: Claim Review

This claim was originally recommended for disallowal because evidence of priority was not submitted for the claim. The claim is based on beneficial use with a priority date claimed as July 31, 1946. The claim includes domestic use for 7 homes in the amount of 0.07 cfs and 2.4 acres of irrigation, also 0.07 cfs, for a total of 0.14 cfs. Note that the water use was claimed on a statutory claim (37-4027) filed in 1972 for multiple homes. The statutory claim included a list of water users with hook-up dates ranging from 1947 to 1968.

A Notice of Error Reply was filed on January 18, 2007 and included several documents, mostly copied from IDWR files. The documents did not clarify nor confirm the priority date and location of water use. A Change in Address was included to update the current contact address for the claim.

On January 26, 2007, the Department received a letter from Fritz Haemmerle, attorney, with an affidavit signed by Beatrice Haemmerle as evidence of proof of priority for the water right claim. The letter and affidavit included information about the past and current location of water use.

According to the letter and affidavit, the historic and current water uses from the system are as follows (note domestic uses include associated irrigation):

| Lot  | Use in 1951 | Changed<br>Use pre-1987 | Current Use   | Lot Size (ac) | Activity | Recom |
|------|-------------|-------------------------|---------------|---------------|----------|-------|
| 2245 | domestic    | no use                  | no use        | 0.31          |          |       |
| 6204 | domestic    | no change               | domestic      | 0.30          |          |       |
| 6205 | irrigation  | no use                  | no use        | 0.20          | irr      |       |
| 2242 | no use      | domestic                | domestic      | 0.27          |          |       |
| 2241 | no use      | irrigation              | irrigation    | 0.25          |          | irr   |
| 2099 | domestic    | no change               | domestic      | 0.22          |          |       |
| 6600 | no use      | domestic                | domestic      | 0.23          |          |       |
| 2246 | no use      | irrigation              | irrigation    | 0.24          |          |       |
| 2126 | domestic    | no change               | no use (2005) | 0.28          |          |       |
| 2420 | domestic    | no change               | domestic      | 0.15          |          |       |
| 2249 | domestic    | no use                  | no use        | 0.04          |          |       |

The 1951 uses included 6 homes with associated irrigation and one irrigated lot without a home. Review of aerial photography for the area shows roughly 2/3 of each lot can be considered irrigated with the other 1/3 covered by a home, driveway, etc. Based on that assumption, the total irrigation (including the homeless lot) in 1951 would have been 1.1 acres ( $1.3 \times 2/3 + 0.2$ ). Prior to 1987, water

use was discontinued for two homes (with associated irrigation) and the homeless lot; and, water use began for two alternate homes (with associated irrigation) and two alternate lots without homes. There are currently 5 domestics (with associated irrigation) and two homeless lots partially irrigated; however, an additional domestic should be counted for lot 2126 because the non-use beginning in 2005 would not constitute forfeiture.

The affidavit is based on personal knowledge of Beatrice Haemmerle when she moved to the neighborhood in 1951. Since a month and day were not provided, I recommend a priority date of December 31, 1951. Accomplished transfers occurred prior to 1987 to cover all the existing homes/irrigation in use today.

The domestic use claimed (0.07 cfs) is less than IDWR's standard for 6 homes, so the rate should be recommended as claimed with a volume of 0.6 acre-feet per home for a total of 3.6 af. The irrigation use for the 1.1 acres should be limited to 0.03 cfs per acre (per IDWR standard for <5 acres) for a total of 0.03 cfs. The irrigation volume should be limited to the standard for the area (3.5 af/ac) for a total of 3.9 af. I recommend a total quantity for the domestic and irrigation use of 0.10 cfs and 7.5 af.

# Pioneer Well System

Located at Township 4N Range 18 Section 18

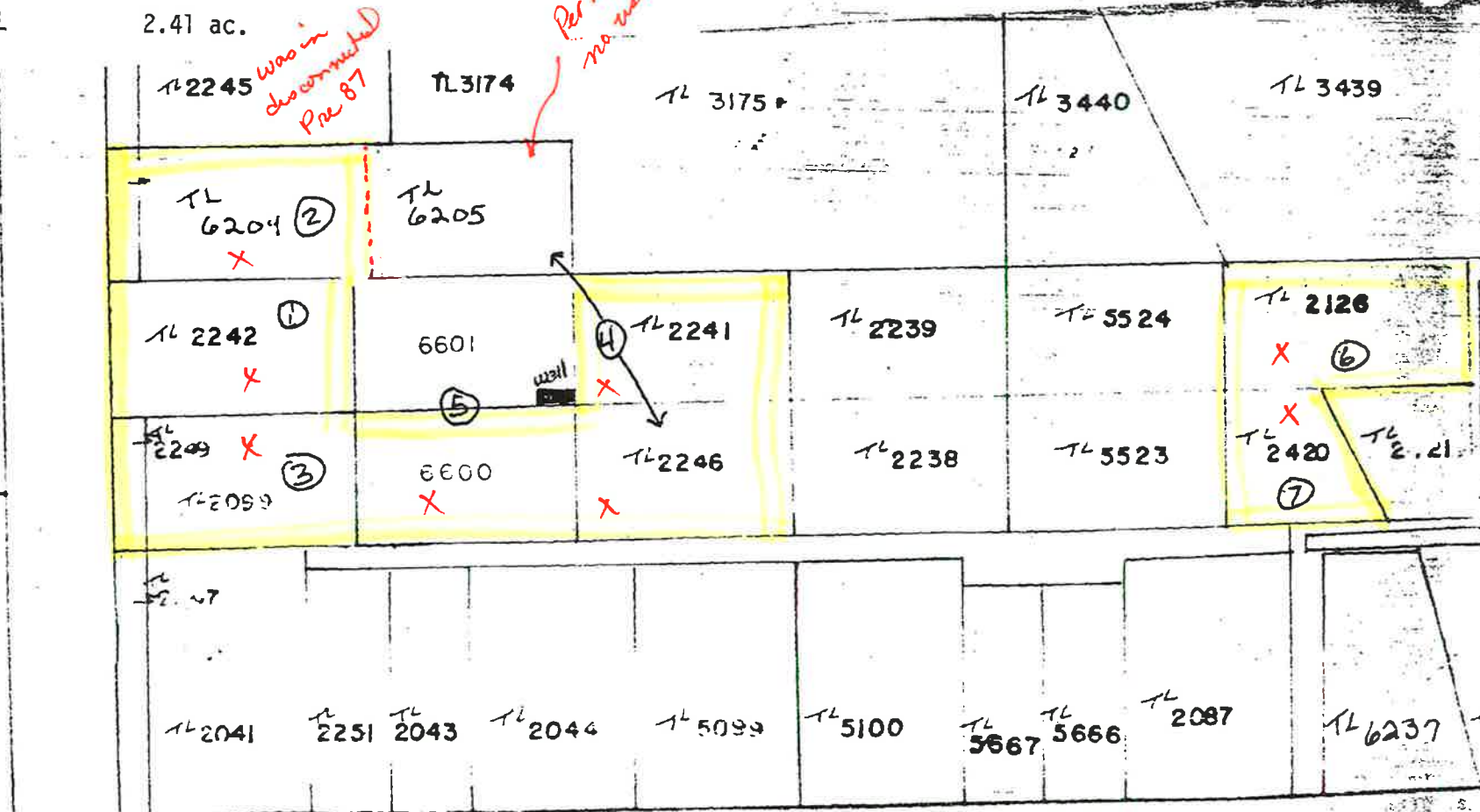
All properties located in this section. Well located in this section, Tax Lot 2241

All claimants have a one/seventh (1/7) interest in and to that certain well and equipment situated on Tax Lot 2241.

The claimants are:

1. Haley Zimmerman .28 ac.
2. Joy Prentice .319 ac.
3. Gary Vinagre .28 ac.
4. Bee Haemmerle .50 ac.
5. Margaret Wayne .50 ac.
6. Judy Demetre .38 ac.
7. Mariana Zwetell .150 ac.

TOTAL 2.41 ac.



Per Beatrice A.C. don't no use after 1968

was in disconnection Pae 87

MICROFILMED  
MAD 11 4 1009

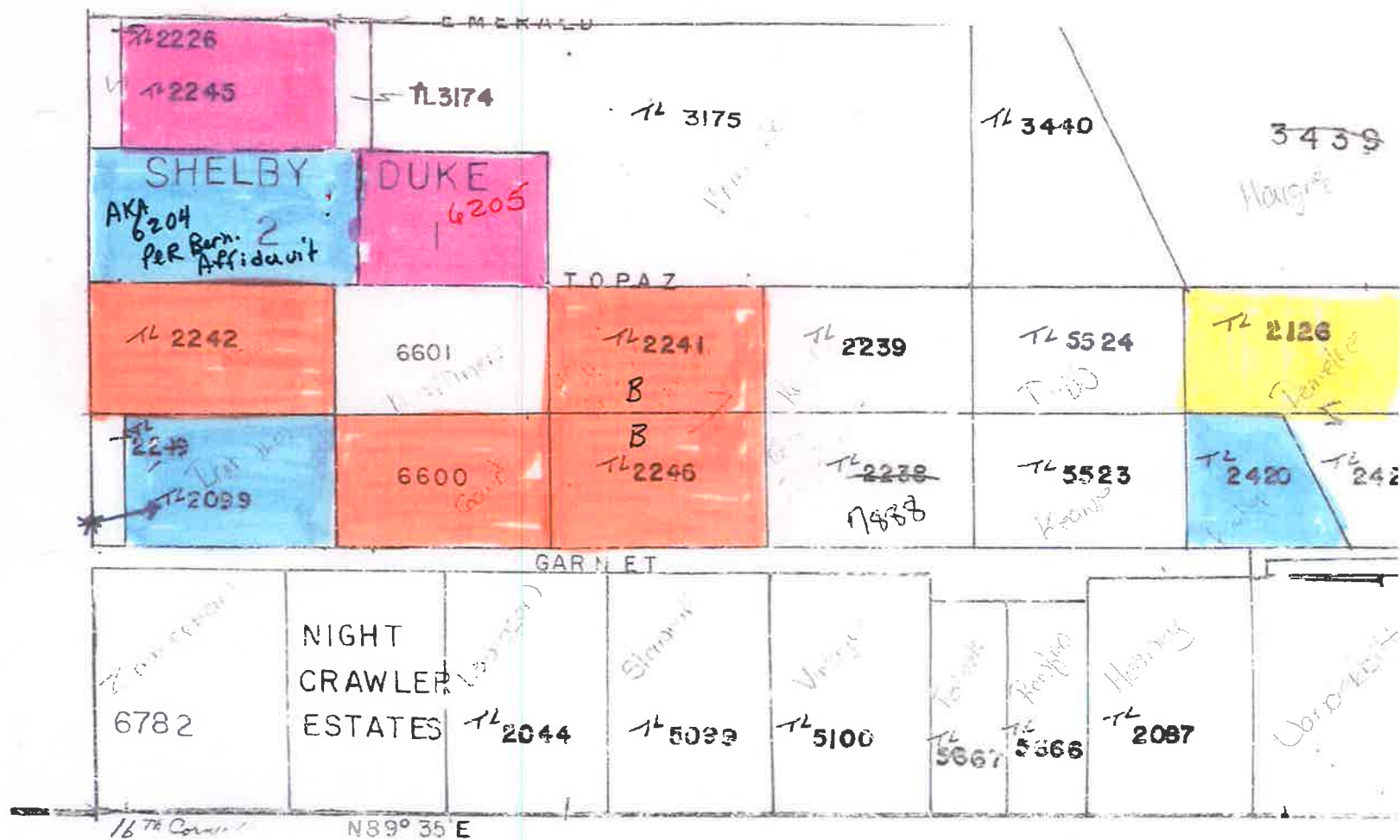
Pre 1963 (Original lot - still in use) =

Pre 1963 (Original lot - no longer in use) =

Post 1963/Pre Nov. 1987 (in use) =  

Pre 1963 (Original lot - not in use since 2005) =

\* = Original Lot (two shares assigned/one in use today)



NOV 15 2007

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

# STANDARD FORM 1 OBJECTION

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: 0.14 cfs

4. ☒ **Priority Date**

Should be: July 31, 1946

5. ☐ **Point of Diversion:**

Should be: \_\_\_\_\_

6. ☐ **Instream Flow Beginning and Ending Point**

Should be:

7. ☒ **Purpose(s) of Use**

Should be:

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/15        | 10/15     | 0.07 CFS              |               |
| DOMESTIC              | 1/01        | 12/31     | 0.07 CFS              |               |
| Total Diversion       |             |           | 0.14 CFS              |               |

8. ☒ **Period of Year**

Should be: (see above)

9.     **X Place of Use**  
          Should be:

| <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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 04N             | 18E          | 18             |            | SESW         | 2.4          |            |              |              |            |              |              |            |              |              |

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 2.4

- 10     ☐ 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 OBJECTIONS(S):** The right as claimed reflects the water right's actual and historical beneficial use.

## Christensen, Kelly

---

**From:** Christensen, Kelly  
**Sent:** Friday, March 12, 2010 9:19 AM  
**To:** Fritz Haemmerle; Ridgeway, Renea  
**Subject:** 37-12836 Pioneer Well System

I had southern scan the aj claim file so that information is now on line as a backfile. We discussed several items in our phone conversation and I now have a better understanding for the basis of the recommendation. I am attaching a portion of Jeff Peppersack's analysis that discusses basis for his recommendation. That would probably be a good point to start. Could you review the analysis and then provide me information regarding the changes you feel should be made.

You indicated that some of the problems concerned your Mother's portion. In reviewing the notes I see where Jeff excluded lot 6205 from the recommended POU. His basis for excluding that lot is based upon Beatrice's affidavit where she states on page 2 item 5 that use on that lot ceased in 1968.



img-312091116.pdf

Kelly K Christensen  
Sr Water Resource Agt  
Boise, Western Region  
(208)-334-2190

02/01/2007

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

RIGHT NUMBER: 37-12836

NAME AND ADDRESS: PIONEER WELL SYSTEM  
C/O JULIE DAHLGREN  
PO BOX 4402  
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS  
7.500 AFY

PRIORITY DATE: 12/31/1951

POINT OF DIVERSION:

T04N R18E S18 SWSESW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 01/01 12/31          | 0.070 CFS<br>3.60 AFY |
| IRRIGATION            | 04/15 10/31          | 0.030 CFS<br>3.90 AFY |

Domestic use is for 6 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S18          SESW      1.10

DOMESTIC in BLAINE County

T04N R18E S18          SESW

1.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion is located within Tax Lot 6601

Property is also known as Tax Lots 6204, 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



# Idaho Department of Water Resources

SRBA Recommendation:

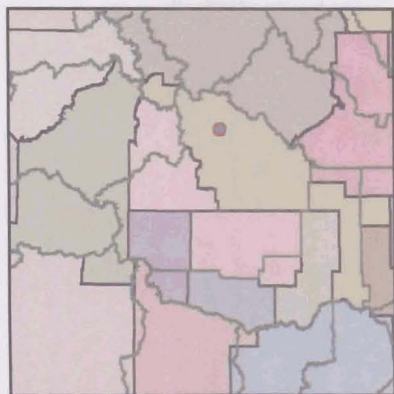
**37-12836**

(Irrigation)

R18E

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37



T04N



0 0.1 0.2 Miles

Prepared by J. PEPPERS  
On Thursday, February 1, 2007  
2004 Aerial Photography

Owner: Pioneer Well System

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



# Idaho Department of Water Resources

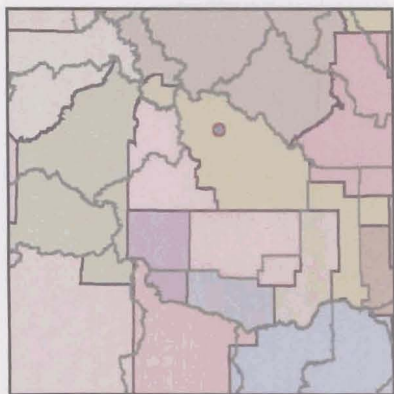
SRBA Recommendation:

**37-12836**

(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
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Blaine County  
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by J. PEPPERS  
On Thursday, February 1, 2007  
2004 Aerial Photography

Owner: Pioneer Well System

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Memorandum

Date: February 1, 2007

To: AJ File 37-12836

From: Jeff Peppersack

Re: Claim Review

This claim was originally recommended for disallowal because evidence of priority was not submitted for the claim. The claim is based on beneficial use with a priority date claimed as July 31, 1946. The claim includes domestic use for 7 homes in the amount of 0.07 cfs and 2.4 acres of irrigation, also 0.07 cfs, for a total of 0.14 cfs. Note that the water use was claimed on a statutory claim (37-4027) filed in 1972 for multiple homes. The statutory claim included a list of water users with hook-up dates ranging from 1947 to 1968.

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On January 26, 2007, the Department received a letter from Fritz Haemmerle, attorney, with an affidavit signed by Beatrice Haemmerle as evidence of proof of priority for the water right claim. The letter and affidavit included information about the past and current location of water use.

According to the letter and affidavit, the historic and current water uses from the system are as follows (note domestic uses include associated irrigation):

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| 2241 | no use      | irrigation              | irrigation    | 0.25          |
| 2099 | domestic    | no change               | domestic      | 0.22          |
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| 2126 | domestic    | no change               | no use (2005) | 0.28          |
| 2420 | domestic    | no change               | domestic      | 0.15          |
| 2249 | domestic    | no use                  | no use        | 0.04          |

The 1951 uses included 6 homes with associated irrigation and one irrigated lot without a home. Review of aerial photography for the area shows roughly 2/3 of each lot can be considered irrigated with the other 1/3 covered by a home, driveway, etc. Based on that assumption, the total irrigation (including the homeless lot) in 1951 would have been 1.1 acres ( $1.3 \times 2/3 + 0.2$ ). Prior to 1987, water

use was discontinued for two homes (with associated irrigation) and the homeless lot; and, water use began for two alternate homes (with associated irrigation) and two alternate lots without homes. There are currently 5 domestics (with associated irrigation) and two homeless lots partially irrigated; however, an additional domestic should be counted for lot 2126 because the non-use beginning in 2005 would not constitute forfeiture.

The affidavit is based on personal knowledge of Beatrice Haemmerle when she moved to the neighborhood in 1951. Since a month and day were not provided, I recommend a priority date of December 31, 1951. Accomplished transfers occurred prior to 1987 to cover all the existing homes/irrigation in use today.

The domestic use claimed (0.07 cfs) is less than IDWR's standard for 6 homes, so the rate should be recommended as claimed with a volume of 0.6 acre-feet per home for a total of 3.6 af. The irrigation use for the 1.1 acres should be limited to 0.03 cfs per acre (per IDWR standard for <5 acres) for a total of 0.03 cfs. The irrigation volume should be limited to the standard for the area (3.5 af/ac) for a total of 3.9 af. I recommend a total quantity for the domestic and irrigation use of 0.10 cfs and 7.5 af.

# HAEMMERLE & HAEMMERLE, L.L.C.

Attorneys & Counselors at Law

---

Fritz X. Haemmerle  
Jennifer L. K. Haemmerle

P O. Box 1800  
Hailey, ID 83333

400 South Main Street, Suite 102  
Tel: (208) 578-0520  
Fax: (208) 578-0564

January 25, 2007

Idaho Department of Water Resources  
c/o Jeff Peppersack  
P.O. Box 83720  
Boise, ID 83720-0098  
Via Fed Ex

*Re: Water Right No. 37-12836*

Dear Jeff:

This firm represents the owners of the Pioneer Well, water right 37-12836. Please find attached an Affidavit of Beatrice O. Haemmerle. As a resident of the Gem Streets since 1951, Mrs. Haemmerle has the most first hand knowledge of the so-called Pioneer Well System.

In a nutshell, there were seven (7) shares perfected prior to 1963. Of those original shares, three (3) have been continuously used, and are still in use today. *See, Affidavit of Beatrice O. Haemmerle*, Exhibit 1. Three (3) shares were transferred around the neighborhood after 1963, but before November 1987. *Id.* One lot was used continuously prior to 1963, but was discontinued in 2005. *Id.* Because the five (5) years has not run on that use, there should be no presumption of non use by abandonment.

Most of the lots, except for tax lots 2241 and 2246, have single family residences. To prove an accomplished transfer, you should note that tax lot 6601 (Lot 1, Shelby Duke Subdivision) was originally perfected for irrigation prior to 1963. Based on my own first hand knowledge, I can state that that entire lot was irrigated. That lot was purchased by the Haemmerle Family after 1968. The water use on that lot ceased after it was purchased, but before November 1987. Tax lots 2241 and 2246 were purchased by the Haemmerle on or about 1968. Parts of those lots have been continuously irrigated since 1968. To prove an accomplished transfer, it is important to note that the amount of irrigation originally perfected on tax lot 6601 is roughly the same as the irrigation currently used on lots 2241 and 2246.

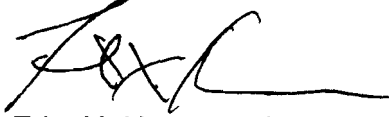
If you require anything more or have any questions, please do not hesitate to call.

Jeff Peppersack  
January 25, 2007  
Page 2

Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.

A handwritten signature in black ink, appearing to be 'F. X. Haemmerle', written in a cursive style.

Fritz X. Haemmerle

FXH: fxh  
Encl.  
cc: Dahlgrens

ORIGINAL

FRITZ X. HAEMMERLE  
HAEMMERLE & HAEMMERLE  
P.O. Box 1800  
400 South Main Street, Suite 102  
Hailey, Idaho 83333  
Tel: (208) 578-0520  
Fax: (208) 578-0564  
ISB #3862

RECORDED  
JAN 23 2012  
CLERK OF DISTRICT COURT  
TWIN FALLS, IDAHO

Attorneys for Claimants

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,    | ) | Water Right 37-12836  |
|                | ) |                       |
| Case No. 39576 | ) | AFFIDAVIT OF          |
|                | ) | BEATRICE O. HAEMMERLE |
|                | ) |                       |
| _____          | ) |                       |

|                   |       |
|-------------------|-------|
| STATE OF IDAHO,   | )     |
|                   | ) ss. |
| County of Blaine. | )     |

BEATRICE O. HAEMMERLE, being sworn upon oath, deposes and states as follows:

1. I am one of the claimants on the so-called "Pioneer Well System," your water right number 37-12836 (hereinafter "Pioneer Well"). I make the averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. The Pioneer Well serves various properties in the so-called Gem Streets of Ketchum, Idaho. A true and correct depiction of the Gem Street neighborhood, identified by tax lots, is attached hereto as Exhibit 1. My family currently owns Tax Lots 2241, 2246, 3177, 3174, and 6205, collectively 151 Topaz Street, Ketchum, Idaho. My late husband and I first moved into

the Gem Street neighborhood in 1951. I continuously lived in the neighborhood since 1951. Over the years, I have also managed the account for the Pioneer Well System Account.

3. I believe that the original well was set-up with eleven (11) shares. I reviewed a note purportedly created by Jess Zimmerman showing the original shares. A true and correct copy of the note is attached hereto as Exhibit 2. The handwriting on the note is my own.

4. Jess Zimmerman was my next door neighbor, and I personally knew all the original shareholders identified in Mr. Zimmerman's note. The shareholders identified in Exhibit 1 were all using their water prior to 1951.

5. Of the original eleven (11) shares, four (4) shares were identified as not being used. That leaves seven (7) shares as being active since the shares were determined. All these shares were in use prior to 1963. Of the original shares in use, two shares (2) shares were deactivated because those properties developed their own water sources. These shares were deactivated prior to November 1987. Those deactivated shares include:

- tax lot 2245 (Zimmerman) – 1 share (developed own well);
- tax lot 6205 (now Lot 1, Shelly Duke Subdivision) (Tingwall) – sold to Haemmerle after 1968 (discontinued use of water on lot after 1968).

6. There were two (2) shares originally granted and developed for the to the original Wicher lots (tax lots 2249 and 2099). Only one (1) share is now claimed for the original Wicher lots, now owned by Dahlgren.

7. Of the original seven (7) shares that were in fact used, it appears that only three (3) lots are currently in use. Those lots are as follows:

- tax lot 2099 (Dahlgren) – 1 share;

- tax lot 6204 (now Lot 2, Shelby Duke Subdivision) (Halliday) – 1 share; and
- tax lot 2420 (Fiedler) – 1 share.

8. Tax lot 2126 (Demetre – 1 share) was continuously in use since the inception of the Pioneer Well. I understand that Demetre's use was discontinued in 2005.

9. Three (3) of the original seven (7) shares that are currently in use have been relocated to different lots or the shares are now being used on one of the original eleven (11) identified lots where water was not in use at the time of the original diversion. Those include:

- tax lot 6600 (Pitt) - not an original lot;
- tax lot 2242 (Davidson) – identified original lot; and
- tax lots 2241 and 2246 (Haemmerle) – identified original lots.

10. All of the lots currently in use, except for tax lots 2241 and 2246, have single family dwelling on the lots. Two of the lots, tax lot 2242 (Davidson) and tax lot 6600 (Pitt), were developed after 1963. All the properties currently irrigated or in use were in use before November 1987.

11. Lots 2241 and 2246 do not have residences; however, each lot has been irrigated since they were purchased by me around 1968. I have continuously irrigated those lots since at least 1968. Tax lots 2241 and 2246, as stated, are under single ownership. These lots have been surrounded by a common fence since they were purchased.

12. Finally, I reviewed a document indicating that the home on tax lot 2128 (Demetre) was built in 1930, and the home on tax lot 2420 (Fiedler) was built in 1930. I have personal knowledge of the Gem Street neighborhood as of 1950 when I first moved to Idaho, and I believe these homes were built well before that date.

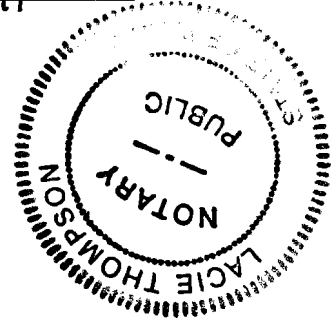
FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 25<sup>th</sup> day of January, 2007.

Beatrice O. Haemmerle  
BEATRICE O. HAEMMERLE

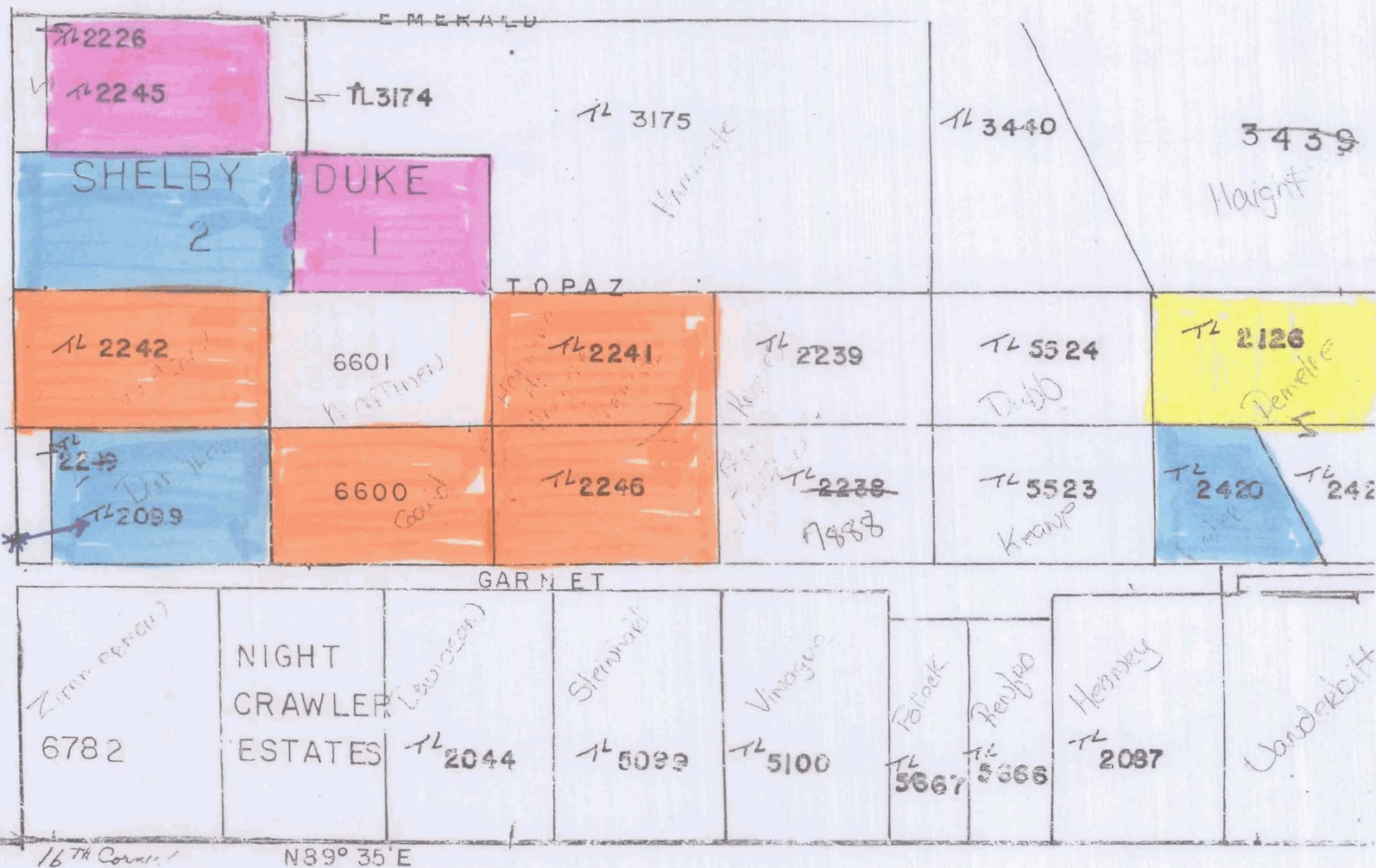
SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of January, 2007.

Lacie Thompson  
NOTARY PUBLIC FOR IDAHO  
Residing at: Ketchum, ID  
Commission expires: 1/14/2008



# **EXHIBIT 1**

Pre 1963 (Original lot - still in use) =    
 Pre 1963 (Original lot - no longer in use) =    
 Post 1963/Pre Nov. 1987 (in use) =    
 Pre 1963 (Original lot - not in use since 2005) =    
 \* = Original Lot (two shares assigned/one in use today)



# **EXHIBIT 2**

Terms of the Zimmerman Well as set up by the original purchasers of lots in Zimmerman Addition when well drilled as co-operative venture.

per Jess Zimmerman.

1. There will be 11 shares in the well.
2. One share can be used on one lot only for one dwelling and sprinkling.
3. More than one dwelling on lot it will be necessary to have on share for each dwelling.
4. All shares in use for dwelling or sprinkling will pay pro-rata for Power, repairs and maintenance.

Shareholders:

1. ~~Jess Zimmerman, one for lot and home (no longer used acct private well)~~
2. *Brentice* ~~Mrs Tingwall, one for home and lot, one for lot in back of home and one for lot across the street to south (this one not used)~~
3. *Albin* ~~Lou Wicher one for house and one for Apt. both on one lot.~~
4. *Harmon* ~~Dr. Potter One for each of two lots (not used)~~
5. *Harmon* ~~Dr. Barratt one for the home and full lot on Unger road.~~
6. *Antell* ~~Jack Sidley one for home and small lot.~~
1. ??? One for lot by well site owners name not recalled. (Not used)

11 Total shares.

6 active, 2 Mrs Tingwall, 2 Mr Wicher, 1 Dr Barratt, 1 Jack Sidley.

*Brentice*

*Albin*

*Harmon*

*Antell*

Pioneer Well System  
Box 4402  
Ketchum, ID 83340  
January 14, 2007

Mr. Jeff Peppersack  
IDWR  
P.O. Box 83720  
Boise, ID 83707-9815

RE: Right Number 37-12836

Dear Mr. Peppersack,

After our conversation on January 10, 2007, I found the following information that I'm hoping will clear up the notice of error.

Well permitted by IDWR with a priority date of July 1946. See Document A

Reviewing Pioneer Well earlier documents I discovered evidence dating back to 1946 with 8 partners each with .04 cfs hook-ups. See Document B

Five of these were prior to 1963. See Document B

Two maps locating the well. See Document C

The original members are listed in Document D

As of today, the Pioneer Well Association has six members (5 houses and 1 lot with a hose bib). Only one member, Bebe Haemmerle, is one of the 1946 originals and she has the lot/bib.

Please e-mail me at [juliesd@cox.net](mailto:juliesd@cox.net) or call at (208) 726-2505 if this is not satisfactory. I have also enclosed a change of address form. I became the well person five years ago. Judy Demetre is no longer a member of our association. She received the notice and walked it over to me a week ago.

Respectfully,  
  
Julie Dahlgren

12/18/2006

**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: 01/05/2007**

Water right number: 37-12836

PIONEER WELL SYSTEM

PO BOX 2515

SUN VALLEY ID 83353

Telephone Number: (208)726-5941

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

*July 1946 priority date*

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

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

*see letter and attached documents (A-D)  
See change of address notice*

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

DATE: 1-13-07 SIGNATURE: *[Signature]*

Please print your name: Scotty Jackson DALLAN

IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, 2082874800

**SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 37-12836

Previous Mailing Address: Pioneer Well System  
% Judy Demetre  
P.O. Box 1314, Ketchum, ID 83340

New Mailing Address: Pioneer Well System  
% Julie Dahlgren  
Box 4402, Ketchum, ID 83340

Telephone Number: (208) 726-2505

Signature of all Claimant(s): Julie Dahlgren  
Please print your name below your signature.  
JULIE DAHLGREN

**Please mail or FAX this completed form to the office nearest you:**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
7600 N. Mineral Dr., Ste. 100  
Coeur d'Alene, ID 83815  
Ph. 208/762-2800 or  
FAX 208/762-2819**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190 or  
FAX 208/334-2348**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380  
Ph. 208/736-3033 or  
FAX 208/736-3037**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653  
Ph. 208/525-7161 or  
FAX 208/525-7177**

**Adjudication Bureau  
Idaho Dept. Of Water Resources  
322 E. Front St.  
P.O. Box 83720  
Boise, ID 83720-0098  
Ph 208/287-4800  
FAX 208/287-6700**

Earlier IDWR form  
form referencing  
IDWR priority  
date of July 1946.

DOC "A"

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

EDUCATION  
OF WATER FROM  
WATER SYSTEM

CIVIL CASE NUMBER: 34506

Ident. Number

Date Received

Receipt Number

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day Filing fee \$25

RECEIVED

OFF

Date  
Section

Please type or print clearly

1. Name of Claimant (s) Pioneer Well System Phone (208) 726-5941

Mailing Address Box 2515 Sun Valley, ID Zip 83353

2. Date of Priority (Only one (1) per claim) July 1946

3. Source of water supply (a) Ground water (well)  
which is tributary to (b)

4. Location of point of diversion is: Township 4N Range 18

Section 18 SW 1/4 of SE 1/4 of SW 1/4 Govt. Lot B.M.

County of Blaine

Additional points of diversion if any:

5. Description of existing diversion works (Ditches Wells, Pumps, Pipelines, Headgate 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.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For Domestic purposes from Jan 1 to Dec. 31 amount 0.07 (cfs)

For Irrigation purposes from April 15 to Oct. 15 amount 0.07

7. Total quantity claimed 0.14 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic give number of households served; Stockwater: Type and number of livestock) D/7 Houses

10. Place a "D" for domestic and for stockwater use in the corresponding place of use below.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |        | SE 1/4 |       |       |       |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|--------|--------|-------|-------|-------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4  | NE1/4  | NW1/4 | SW1/4 | SE1/4 |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | 2.4ac. |        |       |       |       |
| 4N  | 18  | 18  |        |       |       |       |        |       |       |       |        |       |       | D      |        |       |       |       |

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

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 \_\_\_\_\_ or None (X )

14. Remarks: \_\_\_\_\_

15. Basis of Claim (check one) Beneficial Use XXX 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) Judy Demetre Date 10-7-88

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Secretary/Treasurer

Title

of Pioneer Well System that I have signed the foregoing

Organization

document in the space below as Secretary/Treasurer of Pioneer Well System

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Judy Demetre

Title and Organization Secretary/Treasurer, Pioneer Well System Date 10/3/88

State of Idaho/or \_\_\_\_\_ )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of October 1988

SEAL

Notary Public

Residing at

Ketchum

My Commission Expires

March 1993

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies White Stamp Yellow

1972 IDWR form  
with the attachment  
"A" identifying  
(5) five hookups  
prior to 1963.

DOC "B"

Identification No. \_\_\_\_\_  
Claim No. 37-4027  
Map No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Pioneer Well Users  
post office address Box 618, Ketchum, Idaho 83340  
2. The point of diversion is in SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Section 18 Township 4N  
Range 18E B.M. located on Groundwater  
(name of source)  
tributary to \_\_\_\_\_ in Elaine County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:  
See Attachment A amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
Total claimed \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:  
use domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive).

4. Description of diverting works:  
a. Surface water diversion dam and/or headgate: material is composed of \_\_\_\_\_  
\_\_\_\_\_ ; length is \_\_\_\_\_ feet; height is \_\_\_\_\_ feet;  
width at bottom is \_\_\_\_\_ feet; width at top is \_\_\_\_\_ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 180 feet; diameter of well is 8 inches; type of pump is submersible - 2 hp  
capacity of pump is 31 g.p.m.; name and address of well driller is George Roessler  
303 N. Rail St. W., Shoshone, Idaho ;

c. Conveying works: length of ditch to place of use is \_\_\_\_\_ feet; width of ditch at top is \_\_\_\_\_ feet; width of bottom of ditch is \_\_\_\_\_ feet; depth of water is \_\_\_\_\_ feet; grade of ditch per 1000 feet is \_\_\_\_\_ feet; material through which ditch passes is \_\_\_\_\_; maximum length of pipe line to first place of use is 50 feet; diameter of pipe line is 8 inches; type of pipe galvanized; grade of pipe per 1000 feet is level. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible none

if feeder canal is used give maximum carrying capacity \_\_\_\_\_ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions. \_\_\_\_\_

has there been any enlargement of the reservoir since it was first built none, if so, give dates and describe \_\_\_\_\_

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known \_\_\_\_\_

b. Do you get water through a ditch owned by several users? \_\_\_\_\_ If yes, give the name of the ditch \_\_\_\_\_ The other users and their respective interests in the ditch are (if known) \_\_\_\_\_

6. Where water is used for stock watering, give number of each kind of stock watered 2 horses

7. Where water is used for domestic or municipal purposes give number of families served eight name of town supplied \_\_\_\_\_

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities. \_\_\_\_\_

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation  
In the absence of city water this well provides adequate pure water and in quantity for a community system. Water is tested at intervals by State Dept. of Health, Twin Falls, and is free from bacteria. Those people depend on this fine water and if the source is taped the eleven families would be in short supply. Therefore, this source of water must be protected.  
Waste water goes through the new Ketchum sewage system.

State of Idaho

County of Twin Falls ss.

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 13<sup>th</sup> day of October, 1972

Alw. Zimmermann  
Claimant

Arleta Wautjes  
Notary Public

Residing at Twin Falls

My commission expires Aug. 2, 1976

For Department Use Only

Received by alw Date 10-11-72

Exception filed by: \_\_\_\_\_

Forwarded to claimant by: \_\_\_\_\_

Date \_\_\_\_\_

Prelim. check by alw Date 10-13-72 # 9457

Fee received by alw Date 10-11-72 Fee \$ 10

Approved for publication by alw

Published in Wood River Journal Dates 10-26 & 11-2-72

## ATTACHMENT "A"

Pioneer Well

8<sup>1</sup>/<sub>2</sub> partners

Amount: .04 c.f.s. for each hook up

| <u>Name</u>                        | <u>Date of Hook Up</u> |
|------------------------------------|------------------------|
| H. W. Zimmerman                    | 1964                   |
| Helen Dupuis                       | <del>1948</del> 1      |
| LaVerne Hughes (2 families)        | 1964                   |
| M. C. McGinnis                     | <del>1948</del> 2      |
| Maurina Zuetell                    | <del>1958</del> 3      |
| Shelby Dukes                       | <del>1948</del> 4      |
| Florian Haemmerle (lawn, watering) | 1968                   |
| Effie Zimmerman                    | <del>1947</del> 5      |

## Assessment

| No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Owner-Address                                                      | Property Description                                                                                                       | Assessment |          |          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------|----------|----------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |                                                                                                                            | Principal  | Interest | Total    |
| <p>Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, and Lot 6, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at the Southwest corner of the said SE 1/4, SW 1/4, Section 18 and running West 18.8 feet along the Southerly boundary of said Section 18 to a point on the Easterly right of way line of U. S. Highway No. 93; thence N. 0°53' W. 217.1 feet along the said Easterly right of way line of U. S. Highway No. 93 to the TRUE POINT OF BEGINNING; thence continuing N. 0°53' W. 82.5 feet along said Easterly right of way line of U. S. Highway No. 93 to a point; thence East 153.8 feet, more or less, to a point; thence South 82.5 feet to a point; thence West 153.0 feet, more or less, to the point of beginning. EXCEPTING the Northerly 15 feet thereof.</p> |                                                                    |                                                                                                                            |            |          |          |
| 1241.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | F. E. Barrett<br>c/o Floyd Dapius<br>Box 54<br>Sun Valley, Idaho   | A portion of the SE 1/4, SW 1/4,<br>and Lot 6, Section 18, T. 4 N.,<br>R. 18 E., B.M. See Metes and<br>Bounds Description. | \$ 39.85   | * 24.37  | \$ 64.22 |
| <p>Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, and Lot 6, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at the Southwest corner of the said SE 1/4, SW 1/4, Section 18 and running West 18.8 feet along the Southerly boundary of said Section 18 to a point on the Easterly right of way line of U. S. Highway No. 93; thence N. 0°53' W. 165 feet along the said Easterly right of way line of U. S. Highway No. 93 to the TRUE POINT OF BEGINNING; thence continuing N. 0°53' W. 82.5 feet along said Easterly right of way line of U. S. Highway No. 93 to a point; thence East 153.0 feet, more or less, to a point; thence South 82.5 feet to a point; thence West 152.3 feet, more or less, to the point of beginning. EXCEPTING the Southerly 15 feet thereof.</p>   |                                                                    |                                                                                                                            |            |          |          |
| 1242.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | LaVern R. Hughes<br>Ketchum, Idaho                                 | A portion of the SE 1/4, SW 1/4,<br>Section 18, T. 4 N., R. 18 E.,<br>B.M. See Metes and Bounds<br>Description.            | 67.75      | 41.43    | 109.18   |
| 111                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (B LA)                                                             |                                                                                                                            |            |          |          |
| <p>Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 300 feet North and 132 feet East from the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 132 feet to a point; thence South 62.5 feet to a point; thence West 15 feet to a point; thence South 20 feet to a point; thence East 15 feet to a point; thence South 82.5 feet to a point; thence West 132 feet to a point; thence North 165 feet to the point of beginning. EXCEPTING the Northerly 15 feet and the Southerly 15 feet thereof.</p>                                                                                                                                                    |                                                                    |                                                                                                                            |            |          |          |
| 1243.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Shelby D. Dukes<br>890 East 11th No.<br>Mountain Home, Idaho 83647 | A portion of the SE 1/4, SW 1/4,<br>Section 18, T. 4 N., R. 18 E.,<br>B.M. See Metes and Bounds<br>Description.            |            |          |          |
| <p>Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 330 feet North and 132 feet East of the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 132 feet to a point; thence North 82.5 feet to a point; thence West 132 feet to a point; thence South 82.5 feet to the point of beginning. EXCEPTING the Southerly 15 feet thereof.</p>                                                                                                                                                                                                                                                                                                                   |                                                                    |                                                                                                                            |            |          |          |
| 1244.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Florian Haemmerle<br>Sun Valley, Idaho                             | A portion of the SE 1/4, SW 1/4,<br>Section 18, T. 4 N., R. 18 E.,<br>B.M. See Metes and Bounds<br>Description.            |            |          |          |
| <p>Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 330 feet North and 264 feet East of the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 264 feet to a point; thence North 165 feet to a point; thence West 374 feet to a point; thence South 82.5 feet to a point; thence</p>                                                                                                                                                                                                                                                                                                                                                                     |                                                                    |                                                                                                                            |            |          |          |

original members  
of the Pioneer Well  
Assoc - 1963

AUGUST 21, 1963

rman Well as set up by the original purchasers of lots  
ion when well drilled as co-operative venture.

per Jess Zimmerman.

DOC "D"

ll shares in the well.

be used on one lot only for one dwelling and sprinkling.  
dwelling on lot it will be necessary to have on share  
ling.

use for dwelling or sprinkling will pay pro-rata for

power, repairs and maintenance.

#### Shareholders:

1. ~~Jess Zimmerman~~, one for lot and home (no longer used acct private wel
- Brentice* Mrs ~~Tingwall~~, one for home and lot, one for lot in back of home and  
one for lot across the street to south (this one not used)
- Alcich* ~~Len Wieher~~ one for house and one for Apt. both on one lot.
- Dr. Potter* One for each of two lots (not used)
- Dr. Barratt* one for the home and full lot on Unger road.
- Jack Sidley* one for home and small lot.
1. ??? One for lot by well site owners name not recalled. (Not used)

ll Total shares.

6 active, 2 Mrs ~~Tingwall~~, 2 Mr ~~Wieher~~, 1. Dr Barratt, 1 Jack Sidley.

*Brentice*

*Alcich*

*Jupius*

*Sutell*

AS OF 1-07 THER ARE FIVE ACTIVE HOOK UPS

P. O. Box 252  
Sun Valley, Idaho.

August 21, 1963.

Mrs A. W. Tingwall - Ketchum, Idaho.  
Mr. Lou Wicher - Ketchum, Idaho.  
Mr Floyd Dupuis - Ketchum, Idaho.

Dear Folks:

We have just completed cross-connecting our well with the one operated by Larry LaPrise. Now if we should have pump or well trouble it is possible to turn a valve located in the LaPrise well house and put us on their system until ours is repaired. Also if he has trouble the reverse is possible and we can help him out. This should be of a lot of assistance in time of trouble and it is also a factor in case of atomic attack or any other catastrophe.

The bills are now in on the project and it comes to \$9.70 per share for those on our well and his. I show below the amount assessed to each one and I would appreciate your check in the near future so we can clear this matter up.

Thank you for your kind and prompt attention to this matter.

Sincerely,

Jack Sidley.

Your assessment.

|   |                           |                 |          |
|---|---------------------------|-----------------|----------|
| 2 | Shares @ \$9.70 per share | \$ 19.40        | Tingwall |
| 2 | —                         | 19.40           | Wicher   |
| 1 | —                         | 9.70            | Dupuis   |
| 1 | —                         | 9.70            | Sidley   |
|   |                           | <u>\$ 57.80</u> |          |

number  
not claimed

Identification No. \_\_\_\_\_

Claim No. 37-4027

Map No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Pioneer Well Users  
post office address Box 618, Ketchum, Idaho 83340
2. The point of diversion is in SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Section 18 Township 4N  
Range 18E B.M. located on Groundwater  
(name of source)  
tributary to \_\_\_\_\_ in Blaine County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
  - a. Date of priority claimed:  
See Attachment A amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
Total claimed \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet.
  - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:  
use domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive).
4. Description of diverting works:
  - a. Surface water diversion dam and/or headgate: material is composed of \_\_\_\_\_  
\_\_\_\_\_; length is \_\_\_\_\_ feet; height is \_\_\_\_\_ feet;  
width at bottom is \_\_\_\_\_ feet; width at top is \_\_\_\_\_ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 180 feet; diameter of well is 8 inches; type of pump is submersible - 2 hp  
capacity of pump is 31 g.p.m.; name and address of well driller is George Roessler  
303 N. Rail St. W., Shoshone, Idaho

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has there been any enlargement of the reservoir since it was first built none, if so, give dates and describe \_\_\_\_\_

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known \_\_\_\_\_

- b. Do you get water through a ditch owned by several users? \_\_\_\_\_ If yes, give the name of the ditch \_\_\_\_\_ The other users and their respective interests in the ditch are (if known) \_\_\_\_\_
6. Where water is used for stock watering, give number of each kind of stock watered 2 horses
7. Where water is used for domestic or municipal purposes give number of families served eight  
name of town supplied \_\_\_\_\_
8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities \_\_\_\_\_
9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation  
In the absence of city water this well provides adequate pure water and in quantity for a community system. Water is tested at intervals by State Dept. of Health, Twin Falls, and is free from bacteria. Those people depend on this fine water and if the source is taped the eleven families would be in short supply. Therefore, this source of water must be protected.  
Waste water goes through the new Ketchum sewage system.

State of Idaho  
County of Twin Falls ss.

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 13<sup>th</sup> day of October, 1972

Alw. Zimmerman  
Claimant

Anita Wautjer  
Notary Public

Residing at Twin Falls

My commission expires Aug. 2, 1976

For Department Use Only

|                                                                         |                           |                                 |            |
|-------------------------------------------------------------------------|---------------------------|---------------------------------|------------|
| Received by <u>alw</u> Date <u>10-11-72</u>                             | Exception filed by: _____ | Forwarded to claimant by: _____ | Date _____ |
| Prelim. check by <u>alw</u> Date <u>10-13-72</u> # <u>457</u>           | _____                     | _____                           | _____      |
| Fee received by <u>alw</u> Date <u>10-11-72</u> Fee \$ <u>10</u>        | _____                     | _____                           | _____      |
| Approved for publication by <u>alw</u>                                  | _____                     | _____                           | _____      |
| Published in <u>Wood River Journal</u> Dates <u>10-26 &amp; 11-2-72</u> | _____                     | _____                           | _____      |

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## Assessment

| Assessment<br>No. | Owner-Address | Property Description | Assessment     |
|-------------------|---------------|----------------------|----------------|
|                   |               | Principal            | Interest Total |

Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, and Lot 6, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at the Southwest corner of the said SE 1/4, SW 1/4, Section 18 and running West 18.8 feet along the Southerly boundary of said Section 18 to a point on the Easterly right of way line of U. S. Highway No. 93; thence N. 0°53' W. 247.5 feet along the said Easterly right of way line of U. S. Highway No. 93 to the TRUE POINT OF BEGINNING; thence continuing N. 0°53' W. 82.5 feet along said Easterly right of way line of U. S. Highway No. 93 to a point; thence East 153.8 feet, more or less, to a point; thence South 82.5 feet to a point; thence West 153.0 feet, more or less, to the point of beginning. EXCEPTING the Northerly 15 feet thereof.

1241. F. E. Barrett  
c/o Floyd Dupius  
Box 54  
Sun Valley, Idaho

A portion of the SE 1/4, SW 1/4,  
and Lot 6, Section 18, T. 4 N.,  
R. 18 E., B.M. See Metes and  
Bounds Description.

\$ 29.85      \$ 24.37      \$ 64.22

Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, and Lot 6, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at the Southwest corner of the said SE 1/4, SW 1/4, Section 18 and running West 18.8 feet along the Southerly boundary of said Section 18 to a point on the Easterly right of way line of U. S. Highway No. 93; thence N. 0°53' W. 165 feet along the said Easterly right of way line of U. S. Highway No. 93 to the TRUE POINT OF BEGINNING; thence continuing N. 0°53' W. 82.5 feet along said Easterly right of way line of U. S. Highway No. 93 to a point; thence East 153.0 feet, more or less, to a point; thence South 82.5 feet to a point; thence West 152.3 feet, more or less, to the point of beginning. EXCEPTING the Southerly 15 feet thereof.

1242. LaVern R. Hughes  
Ketchum, Idaho

A portion of the SE 1/4, SW 1/4,  
Section 18, T. 4 N., R. 18 E.,  
B.M. See Metes and Bounds  
Description.

111 (B L)

67.75      41.43      109.18

Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 300 feet North and 132 feet East from the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 132 feet to a point; thence South 62.5 feet to a point; thence West 15 feet to a point; thence South 20 feet to a point; thence East 15 feet to a point; thence South 82.5 feet to a point; thence West 132 feet to a point; thence North 165 feet to the point of beginning. EXCEPTING the Northerly 15 feet and the Southerly 15 feet thereof.

1243. Shelby D. Dukes  
890 East 11th No.  
Mountain Home, Idaho 83647

A portion of the SE 1/4, SW 1/4,  
Section 18, T. 4 N., R. 18 E.,  
B.M. See Metes and Bounds  
Description.

Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 330 feet North and 132 feet East of the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 132 feet to a point; thence North 82.5 feet to a point; thence West 132 feet to a point; thence South 82.5 feet to the point of beginning. EXCEPTING the Southerly 15 feet thereof.

1244. Florian Haemmerle  
Sun Valley, Idaho

A portion of the SE 1/4, SW 1/4,  
Section 18, T. 4 N., R. 18 E.,  
B.M. See Metes and Bounds  
Description.

Metes and Bounds Description - That portion of the SE 1/4, SW 1/4, Section 18, T. 4 N., R. 18 E., B.M. described as follows: Commencing at a point 330 feet North and 264 feet East of the Southwest corner of the said SE 1/4, SW 1/4, Section 18, said point being the TRUE POINT OF BEGINNING; thence East 264 feet to a point; thence North 165 feet to a point; thence West 374 feet to a point; thence South 82.5 feet to a point; thence

ATTACHMENT "A"

Pioneer Well

8. ~~partners~~ Amount: .04 c.f.s. for each hook up

| <u>Name</u>                        | <u>Date of Hook Up</u> |
|------------------------------------|------------------------|
| H. W. Zimmerman                    | 1964                   |
| Helen Dupuis                       | 1948                   |
| LaVerne Hughes (2 families)        | 1964                   |
| M. C. McGinnis                     | 1948                   |
| Maurina Zuetell                    | 1958                   |
| Shelby Dukes                       | 1948                   |
| Florian Haemmerle (lawn, watering) | 1968                   |
| Effie Zimmerman (lawn, )           | 1947                   |

12/16/2006

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

---

RIGHT NUMBER: 37-12836

NAME AND ADDRESS: PIONEER WELL SYSTEM  
PO BOX 2515  
SUN VALLEY ID 83353

PIONEER WELL SYSTEM  
C/O JUDY DEMETRE  
PO BOX 1314  
KETCHUM ID 83340

DISALLOWED: No lawful appropriation shown.

EXPLANATORY MATERIAL:

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 15, 2005

X  
X  
X  
X

Re: Evidence of Priority

**RESPONSE DEADLINE**  
**JUNE 17, 2005**

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

**PLEASE NOTE:** The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-\_\_\_\_\_). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.  
Water Rights Supervisor

Enclosures

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Pioneer 1-10-10 CLAIM NT. NO. \_\_\_\_\_

DATE RECEIVED 10-7-88 CK # 10-10 AMOUNT \$ 37.00

- |                                                              | YES                                 | NO                       |
|--------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is a priority date entered? . . . . .                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). **USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.**

- |                                                        |                                         |                          |
|--------------------------------------------------------|-----------------------------------------|--------------------------|
| 3. (a) Is a source entered? . . . . .                  | <input checked="" type="checkbox"/>     | <input type="checkbox"/> |
| (b) Is a tributary to entered? (if required) . . . . . | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/> |

|                                                               |                                     |                          |
|---------------------------------------------------------------|-------------------------------------|--------------------------|
| 4. Is the legal description of the p.d. sufficient? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------------------------------------------------------|-------------------------------------|--------------------------|

|                                                             |                                     |                          |
|-------------------------------------------------------------|-------------------------------------|--------------------------|
| 5. Is there a description of the diverting works? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------------------------------|-------------------------------------|--------------------------|

|                                                                                                                                                                                                                     |                          |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. . . . . | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|

|                                          |                          |                          |
|------------------------------------------|--------------------------|--------------------------|
| Is the period of use included? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------------|--------------------------|--------------------------|

|                                               |                          |                          |
|-----------------------------------------------|--------------------------|--------------------------|
| Is a quantity claimed for each use? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------------------|--------------------------|--------------------------|

|                                                   |                          |                          |
|---------------------------------------------------|--------------------------|--------------------------|
| 7. Is a total quantity claimed entered? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|---------------------------------------------------|--------------------------|--------------------------|

|                                                        |                              |                          |
|--------------------------------------------------------|------------------------------|--------------------------|
| 8. If required is a consumptive use entered? . . . . . | N/A <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------------------------------------|------------------------------|--------------------------|

|                                           |                              |                          |
|-------------------------------------------|------------------------------|--------------------------|
| Is the consumptive use correct? . . . . . | N/A <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------------|------------------------------|--------------------------|

|                                                                                                                                                                                                                                  |                              |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. . . . . | N/A <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|

|                                                                      |                                     |                          |
|----------------------------------------------------------------------|-------------------------------------|--------------------------|
| 10. Is (are) the place(s) of use and purpose(s) indicated? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------|-------------------------------------|--------------------------|

|                                                 |                                     |                          |
|-------------------------------------------------|-------------------------------------|--------------------------|
| 11. Is (are) the county(ies) entered? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------------------|-------------------------------------|--------------------------|

|                                                 |                                     |                          |
|-------------------------------------------------|-------------------------------------|--------------------------|
| 12. Is the ownership of p.u. checked? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------------------|-------------------------------------|--------------------------|

|                                                                  |                                     |                          |
|------------------------------------------------------------------|-------------------------------------|--------------------------|
| 13. Are other water rights listed or "none" indicated? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------------------------------------|-------------------------------------|--------------------------|

|                                                                                                                                                                   |                              |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) . . . . . | N/A <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|

|                                                    |                                     |                          |
|----------------------------------------------------|-------------------------------------|--------------------------|
| 15. Is the basis of the claim indicated? . . . . . | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------|-------------------------------------|--------------------------|

|                                                                                                                                                                                                                                                     |                          |                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|

|                                                                     |                          |                          |
|---------------------------------------------------------------------|--------------------------|--------------------------|
| Has the claim been signed, sealed, and dated by a notary? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|---------------------------------------------------------------------|--------------------------|--------------------------|

|                                                                      |                          |                          |
|----------------------------------------------------------------------|--------------------------|--------------------------|
| Was this claim filed on time, or was an extension granted? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------|--------------------------|--------------------------|

|                                        |                                 |                          |
|----------------------------------------|---------------------------------|--------------------------|
| Is the fee enclosed correct? . . . . . | Exempt <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------|---------------------------------|--------------------------|

|                                                                                                          |                              |                          |
|----------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|
| If this claim is based on an existing water right, has the identification number been entered? . . . . . | N/A <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|

|                                                            |                          |                          |
|------------------------------------------------------------|--------------------------|--------------------------|
| Should this claim be receipted and data entered? . . . . . | <input type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------------------------------|--------------------------|--------------------------|

Claim checked by: RLT

Comments: \_\_\_\_\_

MICROFILMED

MAR 01 1993