

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03027
Date Received: 2/28/1990
Receipt No: W009768
Received By: BHS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WESLEY R. SCHOBBER 208-466-2965
Address: 422 W. LOCUST LANE
NAMPA, ID 83651

2. Date of Priority: MAR 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	9	NW	NW			CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	9	NW	NW		IRR	40.0
Section Acres							40.0

A63-03027

Page 1

Date: 02/28/90

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25486

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: 0

For Individuals:

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

Signature of Claimant(s): Wesley R. Schober Date: Feb. 28, 1990
Date:

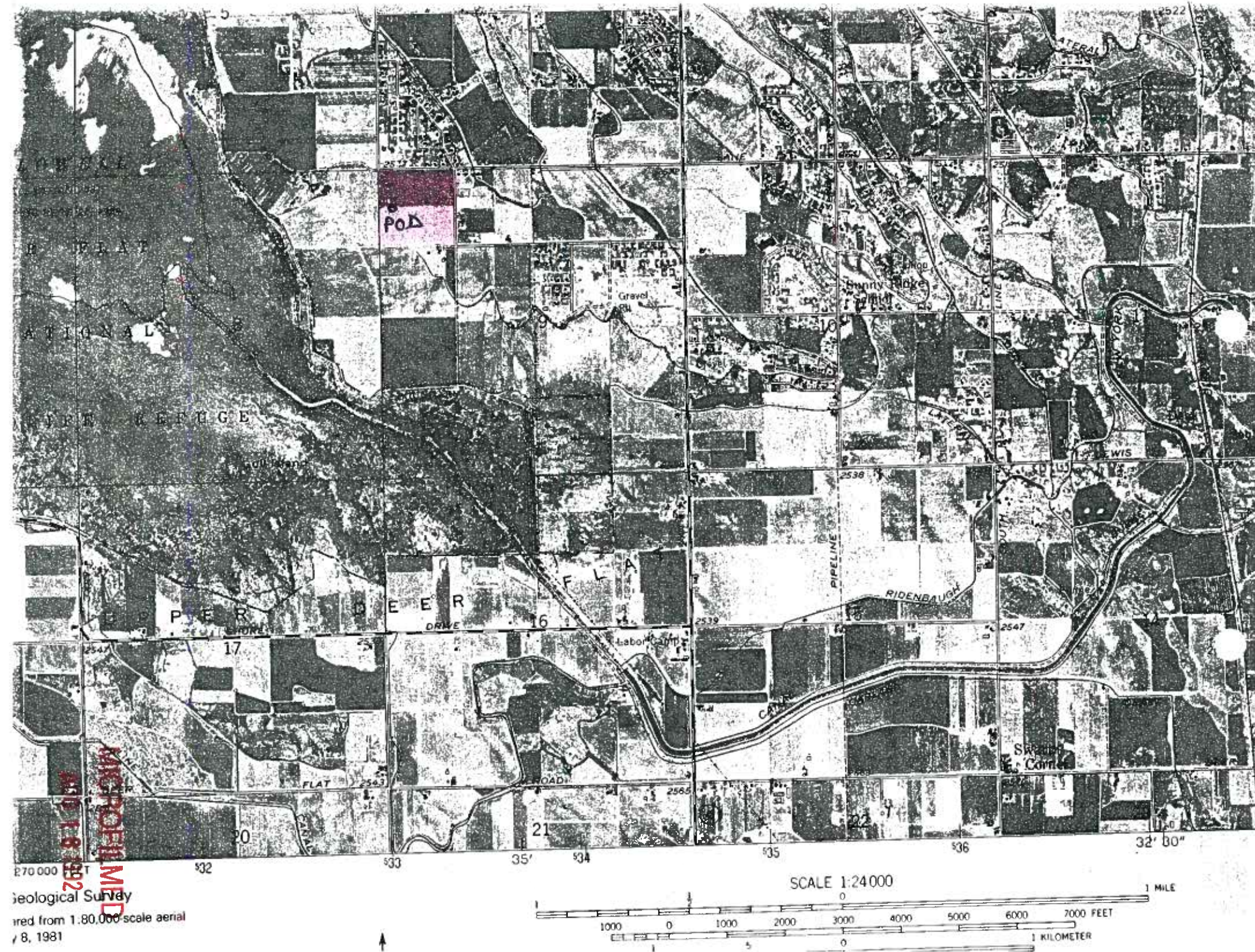
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of February 19 90

Seal

Bruce A. [Signature]
Notary Public

Residing at Boise Idaho
My Commission Expires 4/11/95



09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-3027

WESLEY R SCHOBER
422 W LOCUST LN
Nampa ID 83651
Telephone Number: (208)466-2965

RECEIVED

OCT 26 2006

**WATER RESOURCES
WESTERN REGION**

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

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

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

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

DATE: 10/23/06 SIGNATURE: Wesley R. Schober
Please print your name: WESLEY R. SCHOBER

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

03/24/2006

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

RIGHT NUMBER: 63-3027

NAME AND ADDRESS: WESLEY R SCHOBEL
422 W LOCUST LN
Nampa ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS
180.000 AFY

PRIORITY DATE: 03/01/1955

POINT OF DIVERSION:

T02N R02W S9 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.600 CFS 180.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S09 NWNW 40.00

40 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 - License



Idaho Department of Water Resources

63-3027

T02N R02W S9



⊙ Point of Diversion

▭ Place of Use

▭ Sections

▭ Quarter Quarter

Total irrigated
acres = 40



400 0 400 800 1200 Feet



IDWR

Prepared by: Sandy Egbert

Date: March 24, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3027

WATER RIGHT NUMBER: 63-3027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WESLEY R SCHOBERT 422 W LOCUST LN NAMPA, ID 83651 (208)466-2965

Priority Date: 03/01/1955 ✓

Basis: License ✓

Status: Active ✓

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15	11/15	0.600 CFS ✓	180
	<u>Total Diversion:</u>		0.600 CFS ✓	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4 ✓	Sec. 9, ✓	Twp 02N, ✓	Rge 02W, B.M. ✓
CANYON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	9						40.0											40.0

Total Acres: 40

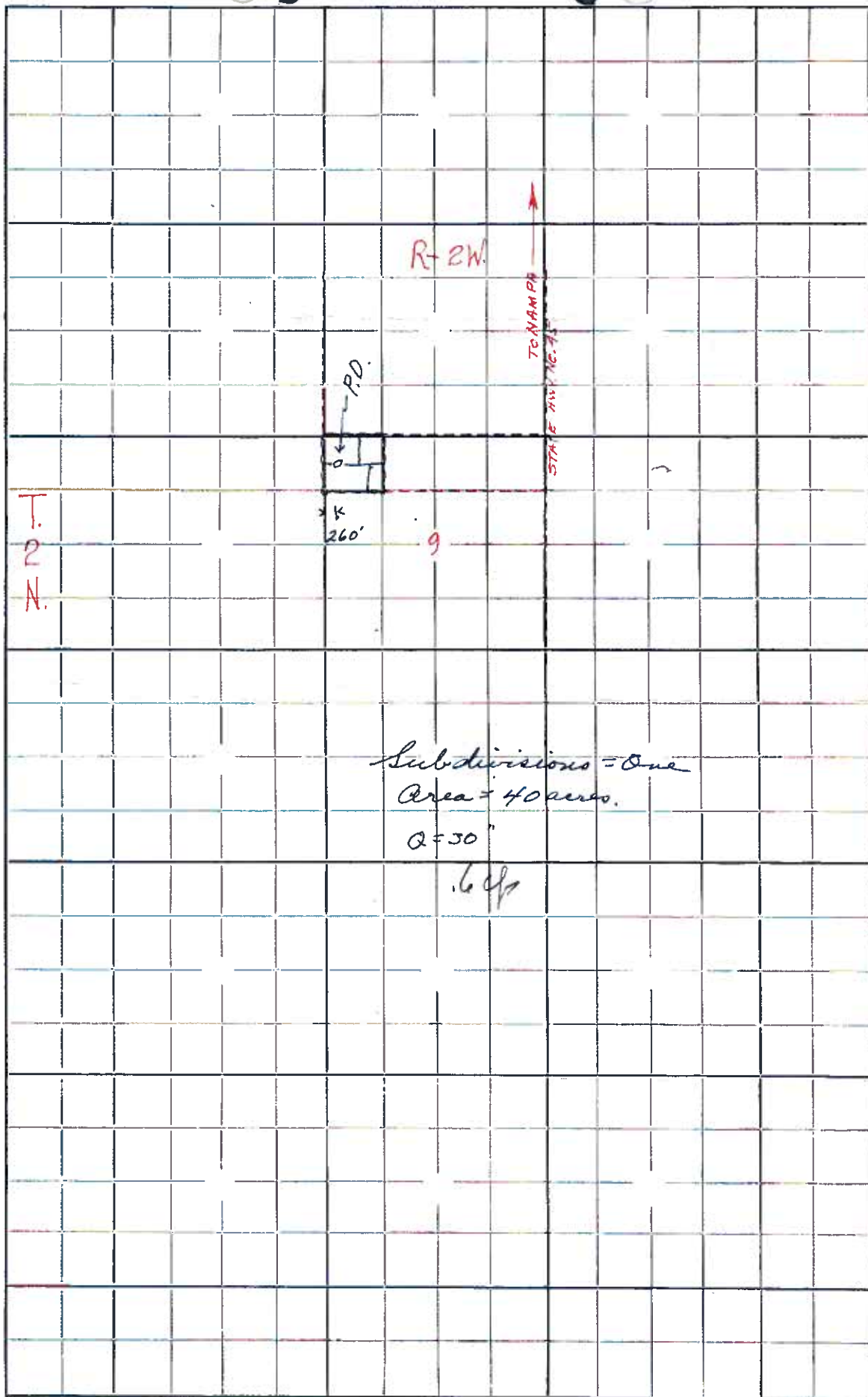
Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3027

03/24/2008

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-3027	Claim	02N	02W	9	NW	NW		IRRIGATION	40/40	WESLEY R SCHOBBER
63-3027	Water Right	02N	02W	9	NW	NW		IRRIGATION	40/40	WESLEY R SCHOBBER



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

25486

AJ5809NP
No. A63-03027

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 42

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WESLEY R SCHOBER 422 W LOCUST LANE NAMPA ID 83651 (208) 466-2965	03/01/1955	IRRIGATION	03-15 11-15	0.600 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.600 CFS	105.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R02W S09

NWNW

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	02W	9	:								40									:	40.0
																				TOTAL ACRES	40.0

POU County: CANYON

Non-Irrigation Uses: NA

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 05/06/1985 Objection Filed Date:

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

Audit: 02/28/90 SCHULD 03/30/95 POST-STD

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/30/95 09:12:28
Page 1

Water Right Number - A63-03027

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 25486

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SCHOBBER

WESLEY R

1 - 422 W LOCUST LANE
2 -
3 -
City- NAMPA
Phone - 208-466-2965

State- ID Zip- 83651

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/01/1955 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
02N 02W 9 NW NW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.600 105.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 02W 9 NW NW 40.0 01 IRRIGATION (27) CANYON
Total Acres: 40.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - NA

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
A6303027

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

State of Idaho License and Certificate of Water Right

Water License No. G-25486

Amount .6 c.f.s.

Water District No.

Priority March 1, 1955

THIS IS TO CERTIFY that WESLEY R. SCHOBER
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 1, 1955; that Permit No. G-25486
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.6 second feet, was issued thereunder on July 1, 1959, showing that said works
were completed on the 17 day of March, 1959; and that on the 17
day of March, 1959,

WESLEY R. SCHOBER

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-25486 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6675, on the 1st day of July, 1959;
The right hereby confirmed dates from March 1, 1955;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 9, Tp. 2 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	2 W.	9	NW 1/4 NW 1/4	40	40
			Total acres to be irrigated:		40

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of July, 1959.

GEO. M. CARTER
State Reclamation Engineer.

(SEAL)

63-3027

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-33354
Permit No. G-25486
District No.

1. Name of Applicant: WESLEY R. SCHOBBER
Postoffice address: Route 4, Nampa County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 0.8 or Idaho
Miners' inches 40 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9
Twp. 2 N. , Rge. 2 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump, and perhaps sprinkler system
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five (5) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

WESLEY R. SCHOBBER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. March 1, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25486

Recorded in Book 90 Page 25486 Approved Mar. 4, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before May 4, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 4, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 4, 1960

Witness my hand this 4th day of March, 1955

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho; and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th day of March, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 N.	2 W.	9																40	
Permit No. G-25486 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that WESLEY R. SCHOBBER of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-25486 issued upon Application No. G-33354 bearing date of priority of March 1, 1955, authorizing the diversion of 0.8 second feet of the waters of a well, County of Canyon, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use, 0.6 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW 1/4, Sec. 9, T. 2 N., R. 2 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 40 acres in the NW 1/4, Sec. 9, T. 2 N., R. 2 W., B. M. Witness my hand this 1st day of July, 1959. Proof of Completion of Works Made: March 17, 1959. s/ GEO. N. CARTER LICENSE ISSUED FOR 6 SEC. F.I. Page 6675																			

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

✓
H25486
Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder ^{and Completion of Works}

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. ✓ WESLEY R. SCHOBBER, Route 4, Nampa, Idaho, farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G25486, March 1, 1955 → 3-4-55

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Deep well pumping; NW¼ NW¼ Sec. 9, Twp. 2 N., R. 2 W., B. M.,
Canyon County, Idaho

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. deep well turbine, 34 miners inches, sprinkler system. 224 feet well
10 inch casing, 90 feet to water, 5 inch discharge. 34 sprinklers, 3/16ths by 1/8th
and 40 lbs pressure

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation, NW¼ NW¼ SEC. 9, TWP. 2 N., R. 2 W., B. M., Canyon Co., Idaho, entire
40 acres, all irrigated and cultivated.

H25486

R

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. no other purpose

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. none

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Since 1955 the entire 40 acres has been cultivated and irrigated from this well

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. _____

(Sign) Wesley R. Schober

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Nampa County of Canyon

State of Idaho, on this 17th day of March, A. D. 1959.

My commission expires Feb. 17, 1961

125486