

FIRST



02 1A \$00-870
0004310839 JAN 05 2007
MAILED FROM ZIP CODE 83702

78-7243A ✓

JAN 10 2007

DEPARTMENT OF
WATER RESOURCES

TED WICKS
PEGGY WICKS
PO BOX 487
RIGGINS ID/83549

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

78-7243A ✓

Flt. # _____
Date _____
Carr. Init. _____
☐ Not Deliverable As Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved, let No Address
☐ Unclaimed ☐ Refused
☐ Attempted, Not Known
☐ No Such Street ☐ No Number
☐ Vacant ☐ Illegible
☐ No Mail Receipt
☐ Box Closed-No Order
☐ Returned For Better Address
☐ Postage Due _____

ADDRESS SERVICE
REQUESTED

RECEIVED
NOV 24 2005
DEPARTMENT OF
WATER RESOURCES

FIRST



0004389393
MAILED FROM ZIP CODE 83702
NOV 17 2006

PEGGY WICKS
TED WICKS
PO BOX 487
RIGGINS ID

[Redacted address line]

RECEIVED

MAY - 8 2007

Department of Water Resources
Adjudication Bureau

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

In Re SRBA

Case No. 39576

☒ Subcase 78-07243A
(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:



NAME AND ADDRESS OF PERSON OBJECTING

Name:

Douglas H. Boggan

Address:

H. C. 69 Box 430

Riggins, Id. 83549

Daytime Phone: 208-628-3567

Name & Address of Attorney, if any:



CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Ted and Peggy Wicks

Address:

P.O. Box 487

Riggins, Id. 83549

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E REASONS SUPPORTING OBJECTION(S): There is no
functional delivery system; Overflow
water wasted, netting no livestock water.



VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Idaho

Douglas H. Boygan, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Wayne G. G. G.
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 5-5-07



Carolyn Friend
Notary Public for Idaho
Residing at: Regard
My Commission Expires: 18-05-2010

INSTRUCTIONS FOR MAILING

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



CERTIFICATE OF MAILING

I certify that on May 5, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Ted and Peggy Wicks
Address: P.O. Box 467
Biggins, ID 83549

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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

also Cheryl Montalbo
H.C. 69 Box 426
Biggins, Id. 83549

Ward M. [Signature]
Signature of Objector or attorney
mailing on Objector's behalf

07/18/2005

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

RIGHT NUMBER: 78-7243A
NAME AND ADDRESS: PEGGY WICKS
PO BOX 487
RIGGINS ID 83549

TED WICKS
PO BOX 487
RIGGINS ID 83549

SOURCE: ALUM CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 05/30/1983

POINT OF DIVERSION:
T24N R01E S32 NENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
		1.20 AFY

PLACE OF USE: DOMESTIC Within IDAHO County
T24N R01E S33 SNNW

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

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

78-7243A



0 300 600 Feet

Sections 32 & 33
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 18, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**JUN 08 2007****IDWR/North**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>78-7243</u>		<u>A</u>			

SCANNED**JUN 18 2007**

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

THEODORE R. WICKSPATRICIA A. WICKS

4. New Owner/Claimant(s)

CHERYL A. MONTALBO AND ANGEL M. MONTALBOName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

HC69 BOX 426

City, State and ZIP Code

RIGGINS ID 83549

New Telephone Number

208-409-6064 - 208-628-3934

5. Date you acquired the property

2-6-07**RECEIVED****MAY 22 2007****WATER RESOURCES
WESTERN REGION**

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>78-7243A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	<u>0.04-1.2 AFA</u>	<u>ONE 1-HOME</u>
Other	_____	_____
Total	_____	_____

SCANNED

JUN 18 2007

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Angel M. Montalbo
(include title if applicable) Cheryl A Montalbo

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

GRANTOR, THEODORE R. WICKS and PATRICIA A. OSBURN, now know as PATRICIA A. WICKS, husband and wife, of 2010 Birch Dr., Lewiston, ID 83501, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to CHERYL A. MONTALBO, a single woman, of 47 Pennsylvania, St. Maries, ID 83861, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2007, which are a lien, not yet due and payable.

2. Easement, including the terms and conditions thereof, by and between C. N. HALL and IOLA BUHL HALL to THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., recorded September 6, 1932, under Instrument No. 99329, Book 60 page 459, records of Idaho County, Idaho.

3. Subject to the terms and conditions as set forth in Quitclaim Deed, by and between W. F. WICKS and EVA V. WICKS, his wife, to STATE OF IDAHO, recorded February 21, 1950, under Instrument No. 165850, Book 82 page 457, records of Idaho County, Idaho.

4. Power Line Easement, including the terms and conditions thereof, by and between DELBERT F. WICKS and LOLA L. WICKS, his wife, and IDAHO POWER COMPANY, a corporation, recorded September 3, 1981, under Instrument No. 294177, records of Idaho County, Idaho.

5. Subject to reservation as contained in Warranty Deed, including the terms and conditions thereof, by and between DELBERT F. WICKS and LOLA L. WICKS, Grantors, and THEODORE R. WICKS and PEGGY S. WICKS, husband and wife, Grantees, recorded October 1, 1986, under Instrument No. 329960, records of Idaho County, Idaho.

6. Matters as shown on Survey No. S-460, recorded January 7, 1987, under Instrument No. 332863, records of Idaho County, Idaho.

Cam

455054

QUITCLAIM DEED

For Value Received

CHERYL A. MONTALBO (A SINGLE WOMAN)
do hereby convey, release, remise and forever quitclaim unto
CHERYL A MONTALBO (A SINGLE WOMAN)
ANGEL M. MONTALBO (A SINGLE WOMAN)
whose current address is
HC 69 BOX 426 RIGGINS ID 83549
the following described premises, to-wit:

SEE ATTACHED

SCANNED
JUN 18 2007

together with their appurtenances.

Dated:

5/17/07

Cheryl A Montalbo

Instrument # 455054

IDAHO COUNTY, IDAHO,

2007-05-17

12:40:20 No. of Pages: 2

Recorded for : CHERYL MONTALBO

ROSE E. GEHRING

Fee: 6.00

Ex-Officio Recorder Deputy

STATE OF IDAHO, COUNTY OF

On this 17th day of May, 2007,
before me, a notary public in and for the said State, per-
sonally appeared

Cheryl A Montalbo

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Lisa Hazebaker

Notary Public
, Idaho

Residing at Grangeville

Comm. Expires 2-15-13
LISA HAZELBAKER
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at this minutes past day of o'clock M.,
, in my office, and duly recorded in Book
of Deeds at Page

Ex-Officio Recorder

By

Fees \$
Mail to:

Deputy

SCANNED

JUN 18 2007

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 32: A parcel of land located in the SE~~1~~NE~~1~~ AND

Section 33: A parcel of land located in the NW~~1~~NW~~1~~ and the SW~~1~~NW~~1~~, more particularly described from a survey as follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 33;
thence N $89^{\circ}20'27''$ W, 2615.936 feet to the Northwest
corner of said Section 33;
thence S $07^{\circ}22'30''$ E, 1331.263 feet to a $\frac{5}{8}$ " pin set
on the westerly R.O.W. line of U.S. Highway No. 95,
which point is the Initial Point of Beginning;
thence S $13^{\circ}50'04''$ W, 162.671 feet along said R.O.W. to
a P.C.;

thence along a curve with the following data:

D = $17^{\circ}53'58''$

R = 817.000 feet

L = 255.235 feet

L Ch = 254.198 feet

T = 128.666 feet

L Ch Bear = S $22^{\circ}47'03''$ W to a
point on said R.O.W.;

thence N $40^{\circ}28'46''$ W, 105.211 feet;

thence N $13^{\circ}50'04''$ E, 380.548 feet;

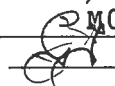
thence S $63^{\circ}28'30''$ E, 128.130 feet back to the Initial
Point of Beginning.

Sometimes known as Assessor's Tax No. 180.

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: A78-07243A
Date Received: 7/14/1988
Receipt No: 2000398
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PEGGY WICKS 208-628-3521
Address: P.O. BOX 487
RIGGINS, ID 83549
OR
Name: TED WICKS 208-628-3521
Address: P.O. BOX 487
RIGGINS, ID 83549
2. Date of Priority: MAY 25, 1983
3. Source: ALUM CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	01E	32	SE	NE	NE		IDAHO
5. Description of diverting works:
DRUM, PIPELINE & STORAGE TANK
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	33	SW	NW		DOMEST	

11. Place of use in counties: IDAHO

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: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): J. Peggy S. Wicks Date: 7/14/88

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of July 19 88

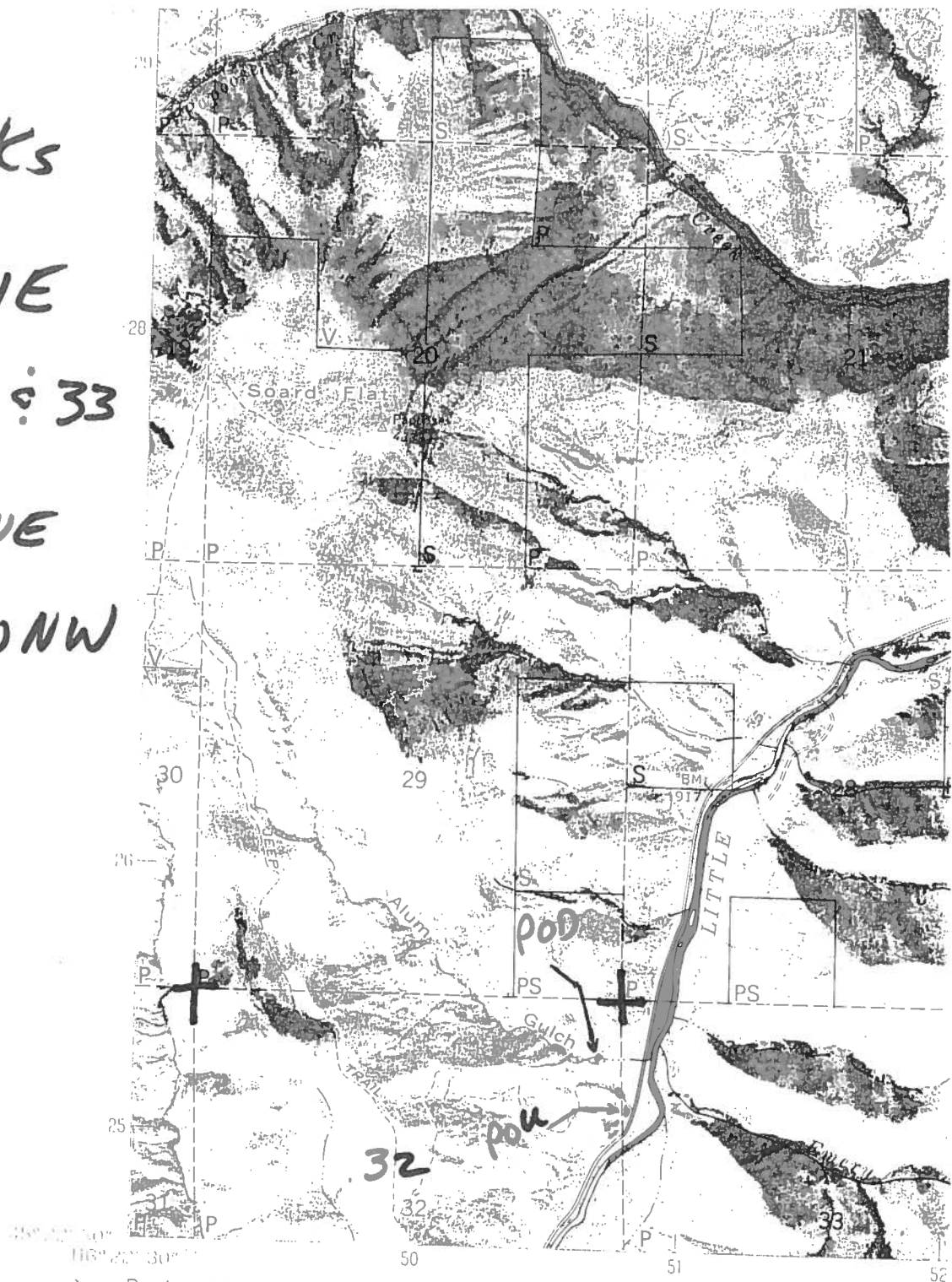
John Dale Carlson
Notary Public

Seal

Residing at Boise Id

My Commission Expires 6/2/94

Ted Wicks
 T24N R01E
 Sections 32 & 33
 Pod = SE NENE
 Pou = NW SW NW



(HEAVENS GATE)

Produced by the Geological Survey
 in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
 aerial photographs taken August 16, 1977

Projection and 10,000-foot grid ticks: Idaho coordinate
 system, west zone (transverse Mercator)
 1000-meter Universal Transverse Mercator grid ticks,
 zone 11. 1927 North American datum

Photoimagery rectified by optical scanning
 Where double or mismatched image occurs use the
 mean of image position for map point

NORTH

MICROFILMED

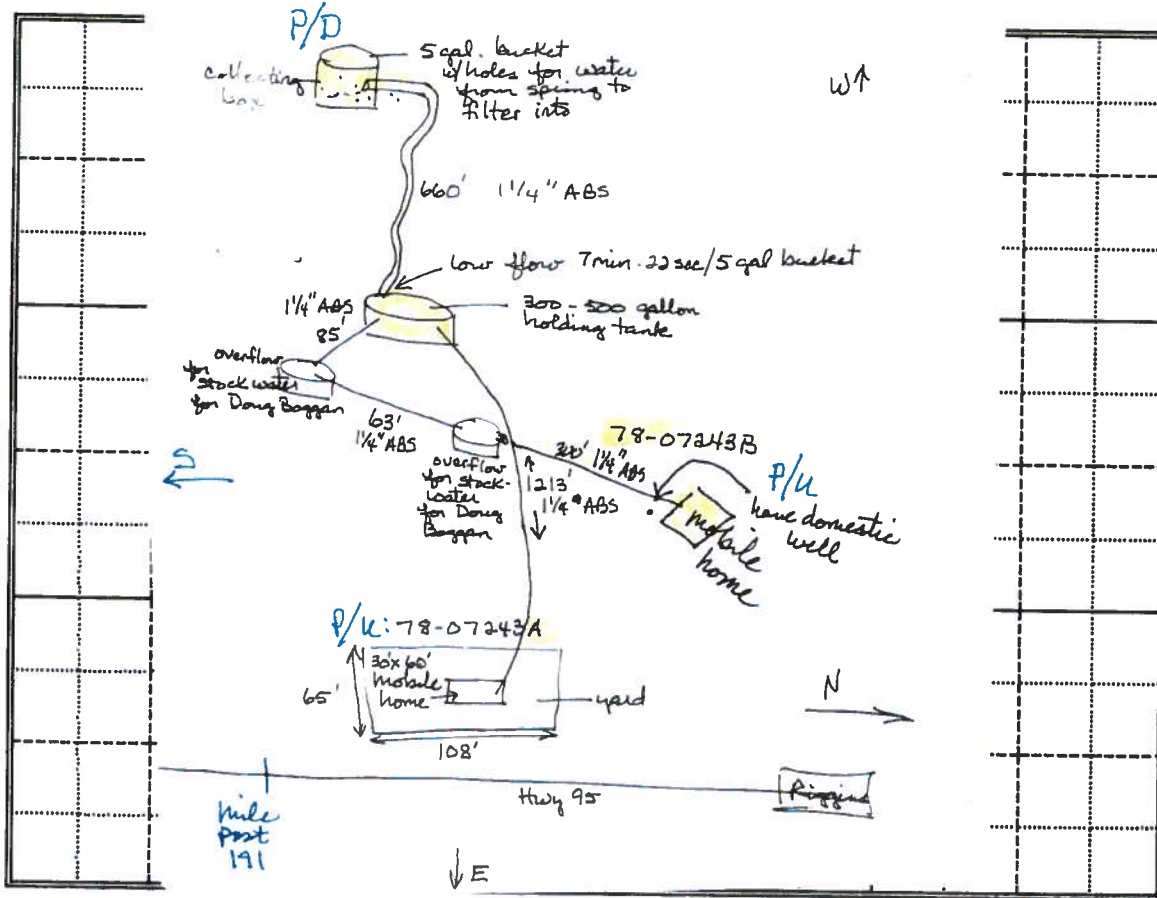
OCT 05 1992

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is priority date entered?	☒	☐
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?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
4. Is the legal description of the p.d. complete?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. Is the consumptive use correct?	☒	☐
If required is a consumptive use entered?	☒	☐
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, each household must file a separate claim.	☒	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" checked?	☐	☒
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.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? 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?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☐	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐
Should this claim be receipted and data entered?	☐	☐

Claim checked by: CW

Comments: Add A78-07243 B to mor 13

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.d. as applicable.



Scale: 1" = 100'

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

See: LTR. 78-07243A

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 5 Gallon Measurement @ low flow, for total capacity of the system for both 78-07243 A + B:

$$\frac{5 \text{ gal} \times 60 \text{ sec}}{442 \text{ sec.}} = .67 \text{ gpm} \times .00223 = .002 \text{ cfs}$$

2010 Birch Drive
Lewiston, ID 83501
STATE OF IDAHO

Ident. No. 78-7243

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Wayne & Ted Wicks Phone 628-3984
Post office address Box 158 Riggins, Idaho 83549
2. Source of water supply Alum Creek which is a tributary of Little Salmon River
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 24N
Range 1E B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .08 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 50 gallon drum in creek
with pipeline to storage tank then to place of use

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 24N

Range 1E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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: A78-07243A
Date Received: 7/14/1988
Receipt No: M000398
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PEGGY WICKS 208-628-3521
Address: PO BOX 487
RIGGINS, ID 83549
AND/OR
Name: TED WICKS 208-628-3521
Address: PO BOX 487
RIGGINS, ID 83549
2. Date of Priority: MAY 25, 1983
3. Source: ALUM CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	32	SE	NE	NE		IDAHO
5. Description of diverting works:
DRUM, PIPELINE & STORAGE TANK
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD

A78-07243A

Page 1

Date: 07/26/88

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	33	SW NW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A SPLIT WATER RIGHT THAT WAS INCORRECTLY ENTERED UNDER NUMBER A78-07243 W/THE NAME WAYNE & LESLIE WICKS. INFORMATION UNDER NUMBER A78-07243 HAS BEEN DELETED IN FILE AND RE-ENTERED IN THE NAMES OF TED & PEGGY WICKS WITH THE NUMBER A78-07243A. A78-07243B IS IN THE NAMES OF WAYNE & LESLIE WICKS & BERNERD & FRANCES GREEN.

15. Basis of Claim: PERMIT
Water Right Number: 787243

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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 _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07243A

Priority: May 30, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:

0.04 CFS
1.2 AF

This is to certify, that TED WICKS
PEGGY WICKS

PO BOX 487
RIGGINS ID 83549

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 25, 1983; and has submitted Proof of Beneficial Use on September 6, 1988. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to ALUM CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 32, Township 24N, Range 01E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC
24N 01E 33

NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED
OCT 24 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07243A

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of NOVEMBER, 1975.

Acting for  KARL J. DREHER, Director



MICROFILMED
OCT 24 1996