

COPY

200 FEB -4 PM 2: 09

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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) NOTICE OF COMPLETED
Case No. 39576) ADMINISTRATIVE PROCEEDINGS
)
) Water Right 43-10457
)

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☐ Substitution of Party
☒ I.C. 42-222 Transfer

I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 43-10457 and all appeal times have run. The following changes have been made to the water right:

☒ Point of Diversion ☐ Place of Use
☐ Period of Use ☐ Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
1/11/2000

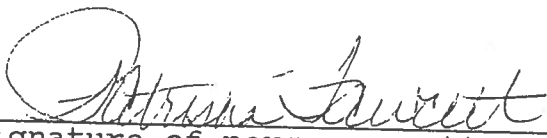
43-10457

PAGE 1

CERTIFICATE OF MAILING

I certify that on 2/4/2000 I mailed the original
and copies of this form to the following persons, 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
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: FEB-1-2000
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 43-10457

NAME & ADDRESS: ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.12 CFS
6.7 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/30/1971

POINT OF DIVERSION: T13S R27E S07 NENE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.12 CFS
			6.7 AFY

PLACE OF USE:	STOCKWATER	Within CASSIA County			
	T13S R27E S06	SESE			
	S07	NENE	NWNE	SWNE	SENE
	S08	SESW	NESW	NWSW	SWSW
		SESE	NESE	NWSE	SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5293 BY SEPTEMBER 7, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175.
STOCKWATER, 500 RANGE CATTLE.



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

February 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

RE: SRBA Claim(s) 43-10457
Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Record Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NCAP
RECEIVED

TRANSFER OF WATER RIGHT

SEP 17 1999

TRANSFER NO. 5293
CLAIM NO. A43-10457

Department of Water Resources
Southern Division

This is to certify that: ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF

SOURCE

GROUNDWATER

Priority: 11/30/1971

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 7, Township 13S, Range 27E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13S 27E	6	SESE		
	7	NENE	NWNE	SWNE
		SENE		
	8	SENW	NESW	NWSW
		SWSW	SESW	NESE
		NWSE	SWSE	SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5293 does not confirm SRBA Claim A43-10457.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5293
CLAIM NO. A43-10457

CONDITIONS OF APPROVAL AND REMARKS

4. The well(s) previously used under SRBA Claim A43-10457 shall be abandoned in a manner which complies with Department well abandonment rules.
5. The quantity of water decreed for this water right is not a determination of historical beneficial use.
6. The quantity of water under this right shall not exceed 13,000 gallons per day.

Dated this 7th day of

September, 1999.

J. Glen Saxton

Chief, Water Allocation Bureau

MEMORANDUM

TO: File 43-10457

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5293

DATE: September 3, 1999

Transfer 5293 changes the point of diversion under Right 43-10457. The original well dried-up and a replacement well drilled. This right has been recommended by the SRBA staff as appears on the approval with the exception of the change in point of diversion and recommended transfer conditions.

Recommended conditions include non-determination of historical use, 13,000 gpd diversion limit, non-confirmation of claim, well abandonment rules for the old well and standard transfer conditions.

COPY

1999 JUL 15 AM 3:28

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

)

Subcase No(s): 43-10457

Case No. 39576

)

)

)

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

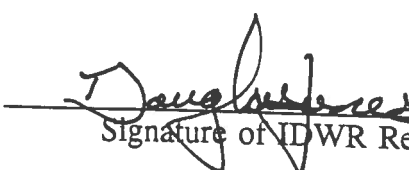
☒ I.C. § 42-222 transfer 5293

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
July 15, 1999.

DATED: 7/14/98

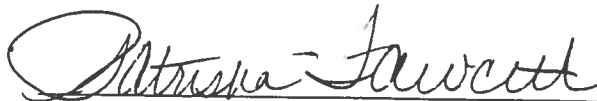


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7-15, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Arden Eugene Wickel
2337 E 1500 S
Malta ID 83342
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



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

July 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ARDEN EUGENE WICKEL
2337 E 1500 S
MALTA ID 83342

RE: SRBA Claim(s) 43-10457

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NAP
Transfer No. 5293

MAY 12 1988

APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resource
Southern Region

PART 1

Name of applicant Arden Eugene Nickel Phone 208-645-2581
Post Office address 2337 East 1500 South Malta, Id 83342

PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes well went dry and replace mont
well drilled.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-10457</u>	<u>11/30/1971</u>	<u>0.12</u>	<u>stockwater + domestic</u>	<u>01/01 to 12/31</u>
				to
				to
				to

Total amount of water being transferred 0.12 cubic feet per second and/or _____ acre-feet per annum.

Source of water Ground water tributary to _____

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NE	07	13S	27E	Cassia	Just west of owners home

Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
----- Place of Use -----																			
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County											
13S	27E	6	SE SE			04	STOCKWATER	(31)	CASSIA										
13S	27E	7	NE NE			04	STOCKWATER + domestic, e	(31)	CASSIA										
13S	27E	7	NW NE			04	STOCKWATER	(31)	CASSIA										
13S	27E	7	SW NE			04	STOCKWATER	(31)	CASSIA										
13S	27E	7	SE NE			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	SE NW			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	NE SW			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	NW SW			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	SW SW			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	SE SW			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	NE SE			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	NW SE			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	SW SE			04	STOCKWATER	(31)	CASSIA										
13S	27E	8	SE SE			04	STOCKWATER	(31)	CASSIA										

AJ5809NP
No. 43-10457

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/07/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARDEN EUGENE WICKEL	11/30/1971	STOCKWATER	01-01 12-31	0.12 CFS	
C	WYNELL F WICKEL					
	HC 61 BOX 1010			TOTAL DIVERSION:	0.12 CFS	
	MALTA ID 83342					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R27E S07

NESWNE

CASSIA County

Place of use Legal Description for: STOCKWATER

NE								NW								SW								SE							
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	:				
13S	27E	6	:						:						:						:						S	:			
13S	27E	7	:	S		S		S	:						:						:							:			
13S	27E	8	:						:				S	:	S		S		S	:	S		S		S		S	:			

POU County: CASSIA

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175
STOCKWATER, 500 RANGE CATTLE

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

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

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 19 June 1998
RE: Transfer per 43-10457

This application for transfer was encouraged after a question was brought up by Mr. Tom Lloyd regarding the Director's Report recommendation for this claim. The original well was abandoned and a replacement well was drilled in 1995, in another location, by Mr. Lloyd. Mr. Lloyd noticed a different description on claim for the point of diversion than where he drilled the replacement well.

The drilling permit states the proposed use of the well as domestic. The claim is a beneficial use for stockwater. On the transfer application, Mr. Wickel penciled in domestic as a nature of use, in addition to stockwater.

At the time I was in the field, no one was at the trailer. I left a note on the front door with questions about the well and the places of use. Mr. Wickel called and said the pump is 3/4 horsepower. He said the water for the stock is run underground by 2-3" pvc pipe.

Since 1994, Mr. Wickel seems to have had several wells (Drilling Permit Numbers 43-94-S-0011-000, 43-94-S-0028-000, 43-95-S-0005-001, 43-94-S-0006-000) either deepened, re-drilled, or replaced.

Conditions per recommendation of transfer:

-Because this is Raft River Critical Ground Water Area perhaps definite rate/volume limitations, diversion work requirements, specific measurement requirements, and maintenance needs to be implemented on the new well(s).

-Sent applicant a Form 238(4)-2 and Well Abandonment booklet, to ensure abandonment procedures were followed.

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

June 19, 1998 10:17am

CUSTOMER

Arden Eugene Wickel

SUBJECT: Transfer per 43-10457

phone call (.) walk-in (.) other (x)

If you or Mr. Lloyd have not filled out the Application for Well Abandonment per the old well that used to be in NESWNE $\frac{1}{4}$ of Sec 7, T13S, R27E, please use the enclosed form to do so and return in the self-addressed envelope provided. Also included is the booklet related to Well Abandonment procedures. If you have questions please call Gary Funderburg (groundwater person/Southern Region Office).



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 23, 1998

Arden Eugene Wickel
HC 61 Box 1010
Malta, ID 83342

Dear Mr. Wickel:

Tom Lloyd recently contacted me inquiring about a Snake River Basin Adjudication claim of yours, A43-10457, for stockwater out of a well located near Malta. Apparently, you recently received the Director's Report recommendation for this particular claim and are concerned about the well location listed on the recommendation. Mr. Lloyd informed me that a "replacement" well was drilled in 1995 at a new location, and the original well was apparently abandoned.

Apparently, the point of diversion location recommended in the Director's Report reflects the old well location. In order to change the recorded point of diversion for a water right and/or claim, a water right transfer application is required. I have enclosed one of these applications and instructions, per Mr. Lloyd's request.

The filing fee for a transfer application is \$100.00, and the application is subject to public notice and protest. In addition, proof of ownership of the right and/or the land to which the right is appurtenant must be submitted, consent of any lienholders to the land to which the right is appurtenant must be included, and the application must be signed and notarized.

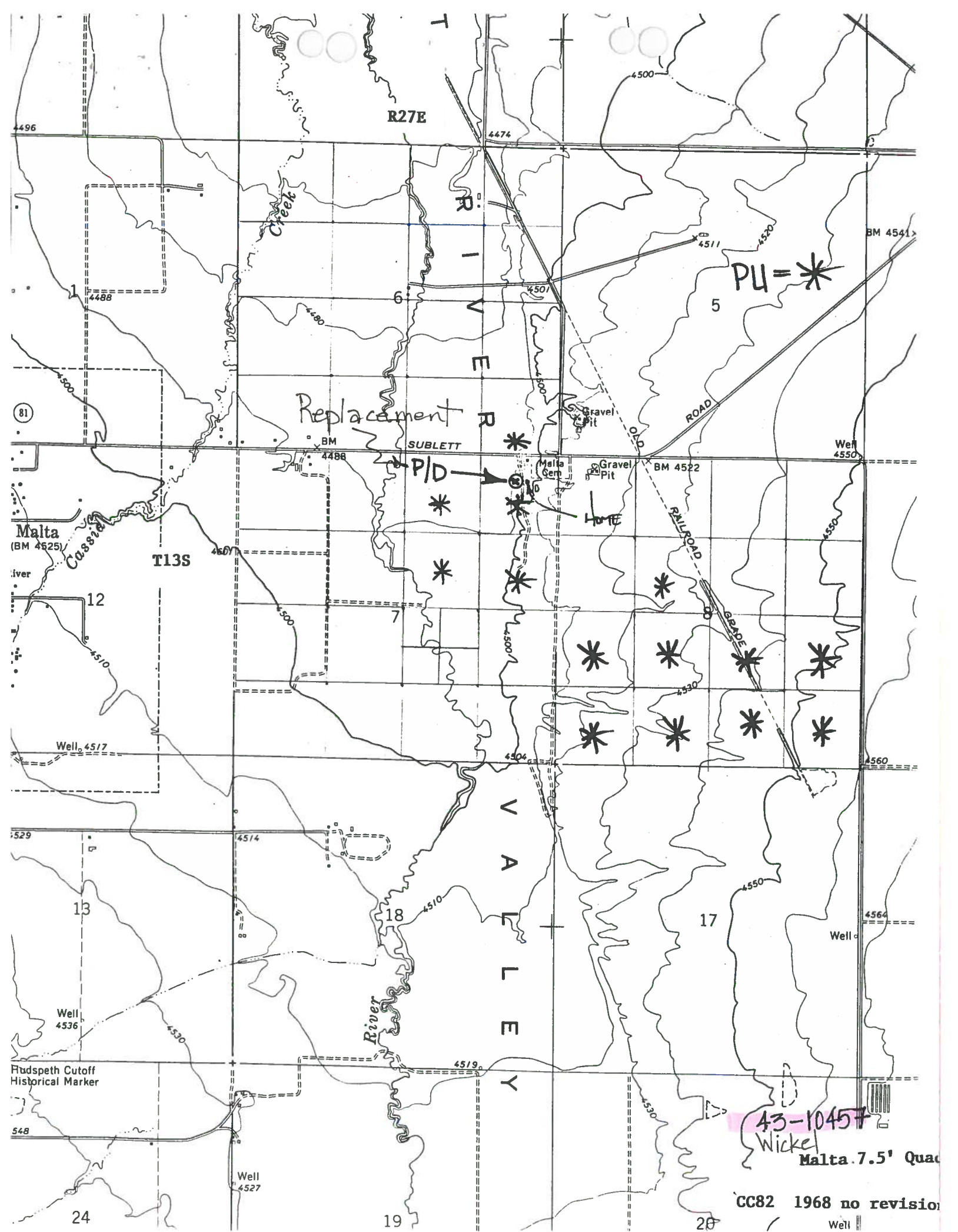
I have enclosed a proof report of recommended claim 43-10457 that lists the old point of diversion location, and a well drilling permit report that lists the location of the well that was drilled in 1995.

If you have any questions, or if you need any assistance (in particular with completing the application), feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures



WICKEL, ARDEN
43-10457

P/D 100 W. of home
P/D=NNWENE Sec 7, T13S, R27E

5 18 '98

photo looking S'ly

P/U Sec 7, T13S, R27E NENE

WHEEL LINES ASSOCIATED
W/ A43-04212, -04213

GPS Tag A00007802

photo looking N'ly

photo looking E'ly

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 43-10454
DATE: 18 MAY 1998
BY: SATELLEE

THEORETICAL RATE OF FLOW: Q = (8.8) X (H.P.) X (EFF.)
TDR

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = pumping plant efficiency (ASSUME 70% OR 0.70)
TDR = total dynamic head = (LIFT) + (PSI X 2.31)
LIFT = depth to water in feet from land surface to pumping
water level
PSI = pumping pressure measured in psi near pump
(if open discharge assume zero (0))

Q = (8.8) (.....) (0.70) = 180.5
4.62 = 0.03 cfs
180.5

LIFT FROM: PSI FROM: NOTES ON PUMP:
measurement () measurement () Motor Make Serial or ID
owner () owner () NONE AVAILABLE
area estimate () estimate (X) Pump Make, Serial or ID, Rating
well logs (X) owner gage ()
Booster (Y) (N)

REMARKS GPS TAG # ADD07802

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = (DAYS IN SEASON) X (1.98) X (Q)
(RECOMMENDED ACRES IRRIGATED)

(season)	(days)	POTENTIAL =	(.....) X (1.98) X (.....)
3/15 - 11/15	246		
4/1 - 11/1	215		
4/15 - 10/15	184		
3/1 - 12/1	276		

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac Irrigation requirement from chart for area)
NOTE that this is NOT consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY

Claims 43 & 45 Not Need To be Hand
Copy Info. From IDWR On And Determine
How They Need To Be Handled

Basin 43

Basin 45

4310132
4310154
4310155
4310457
4310575

4504050
4510129
4510130
4510258
4510462
4510463
4510588
4511112

Trish,

Above are claims from Basins 43+45

We use need photocopies of. I understand that
they will be pulled and waiting for us to copy
at your office. Please call or fax us as to when
they will be available. I live in Twin and can
be there early in morning or late in afternoon
at IDWR convenience. Thank you

Norm Henrickson
Burley BLM

3-12-98

NORM HENRICKSON OF THE BUREAU OF LAND MANGEMENT, BURLEY OFFICE,
MADE COMPLETE COPIES OF THE CLAIMS LISTED ABOVE

VH



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 23, 1998

Arden Eugene Wickel
HC 61 Box 1010
Malta, ID 83342

Dear Mr. Wickel:

Tom Lloyd recently contacted me inquiring about a Snake River Basin Adjudication claim of yours, A43-10457, for stockwater out of a well located near Malta. Apparently, you recently received the Director's Report recommendation for this particular claim and are concerned about the well location listed on the recommendation. Mr. Lloyd informed me that a "replacement" well was drilled in 1995 at a new location, and the original well was apparently abandoned.

Apparently, the point of diversion location recommended in the Director's Report reflects the old well location. In order to change the recorded point of diversion for a water right and/or claim, a water right transfer application is required. I have enclosed one of these applications and instructions, per Mr. Lloyd's request.

The filing fee for a transfer application is \$100.00, and the application is subject to public notice and protest. In addition, proof of ownership of the right and/or the land to which the right is appurtenant must be submitted, consent of any lienholders to the land to which the right is appurtenant must be included, and the application must be signed and notarized.

I have enclosed a proof report of recommended claim 43-10457 that lists the old point of diversion location, and a well drilling permit report that lists the location of the well that was drilled in 1995.

If you have any questions, or if you need any assistance (in particular with completing the application), feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures

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

RIGHT NUMBER:

ARDEN EUGENE WICKEL
WYNELL F WICKEL
HC 61 BOX 1010
MALTA ID 83342

NAME & ADDRESS:

GROUNDWATER

QUANTITY:

0.12 CFS

PRIORITY DATE:

11/30/1971

LOCATION OF INSTREAM FLOW:

113S R27E S07

NEWSNE

Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY 0.12 CFS

PLACE OF USE:

STOCKWATER
T13S R27E
S06
S07
S08

Within CASSIA County

NESE
NESW
NMNE

SMN
MSM
SNM

SENE
MSMS
SMSSE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175
STOCKWATER, 500 RANGE CATTLE

VERIFIED BY.

1661-12-60
09-12-1997
D.H.
claim of
rights
claim
D.H.
claim
D.H.
claim

ORIGINAL CLAIM:
S/L E SENN.

ADJ809NP No. R43-10457
IDAH0 DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
DATE: 09/06/97
PAGE: 8

OWNER	NAME & ADDRESS	PRIORITY	DATE	WATER USE	USE PERIOD	DIVERSION RATE	DIVERSION VOLUME
C ARDEN EUGENE WICKEL	C WYCKEL F WICKEL H661 BOX 1010 MALTA ID 83342	11/30/1971	STOCKWATER		01-01 12-31	0.12 CFS	
TOTAL DIVERSION: 0.12 CFS							
Stage: BENEFICIAL USE							
CASSIA County							

Place of use Legal Description for: STOCKWATER
NESENE
Tributary to:

Points(s) of Diversion:
113S R27E S07

Water Source: GROUNDWATER

Other Water Rights with Same Point(s) of Diversion (Includes All Sources):
A43-02249 A43-10457
Other Water Rights Listing Overlapping Place(s) of Use:
A43-00127 A43-00127A A43-00317 A43-02329 A43-02485 A43-02550A A43-04140 A43-04212 A43-04213 A43-04215
A43-00317 A43-04212 A43-04213
Remarks: GEN PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175
Dates: Exam Made Date: Verified Date: Objected Date: Filed Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:
Comments: Date: 04/21/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
CLAIMED S1/2 OF SEC 8 FOR P/U.
Date: 04/12/1994 User-ID: GIVENS Subject: OWNERSHIP CHANGE

account

SR 10469
?

claim

AJ5809NP
No. R43-10457
IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
=====

Comments: Date: 04/12/1994 User-ID: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 4/2/93 ORIGINAL OWNERS GLEN R & DONA
KUNAU NEW OWNES ARDEN EUGENE AND WYNELL F WICKEL. ORIGINAL
OWNERS SIGNED FORM AND LEGAL DESCRIPTION SUBMITTED.

Audit: 04/21/92 SMITH 04/12/94 GIVENS 03/30/95 POST-STD

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: A43-10457
Date Received: 6/9/1989
Receipt No: S007861
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARDEN EUGENE WICKEL
Address: HC61 BOX 1010
MALTA ID 83342

Name: WYNELL F WICKEL
Address: HC61 1010
MALTA ID 83342

2. Date of Priority: NOV 30, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
13S 27E 7 NE SW NE CASSIA

5. Description of diverting works:
6"X80' WELL, PIPE, STOCK TANKS

6. Water is used for the following purposes:

Purpose From To C.F.S (or) A.F.A.
STOCKWATER 01/01 12/31 0.120

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	27E	6	SE	SE	STOCK	
			NE	NE	STOCK	
			NW	NE	STOCK	
		7	SW	NE	STOCK	
			SE	NE	STOCK	
			SE	NE	STOCK	
	8	SE	NW	NW	STOCK	
			NE	SW	STOCK	
			NW	SW	STOCK	
		SW	SE	SW	STOCK	
			NE	SE	STOCK	
			NW	SE	STOCK	
		SW	SE	SE	STOCK	
			SW	SE	STOCK	
			SE	SE	STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMED S1/2 OF SEC 8 FOR P/U.

OWNERSHIP CHANGE 4/12/94 BY JG.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commision Expires _____



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

APR 02 1993

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 3-8-93

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____

Section _____, Block _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, B.M.
Lot _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED EXHIBIT

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) _____
Assigned by IDWR: #43-04213, #43-04212, #43-00127, #43-10457

☐ Name and Address of Former Owner/Claimant(s)(Seller): Glen R. Kunau and Dona Kunau
1941 Miller Avenue
Burley, Idaho 83318

☐ New Owner/Claimant (Purchaser): Arden Eugene Wickel and Wynell F. Wickel

☐ New Mailing Address: Arden Wickel
ID 83342

☐ New Telephone Number: 14261

☐ Does the change in ownership require a new owner? If yes, then describe the portion of the water right # _____
Kunau are transferred in water right # _____
in a splitting of _____
result _____

☐ Attach proof of ownership, describe #43-001 proof attached: 83342
(proof of ownership must describe of ownership is not required if this form is signed by the former owner/claimant.)
03-28-1994
to Kunau
number. Proof

☐ Signature of New Owner/Claimant(s): Arden E. Wickel
Wynell F. Wickel

☐ Signature of Former Owner/Claimant(s): Arden E. Wickel
Dona Kunau

(Signature of former claimant(s) is not ownership is attached.)
Jug
Stork

FOR IDWR USE ONLY:
Initial Review and Data-Entry Date: 4/12/93 By: JC
Further Action Needed:
Further Action Taken
Date: 4/12/93 By: JC
Final Review and Data-Entry Date: 4/12/93 By: JC
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

✓

Incoming Call 300

443-00127 (-001477) in files

Outgoing Call

-04212 ✓
-04213 ✓

Returning Call

-10457 ✓

TO: H

WIKTEL, ADDALL W.

DATE: 03-28-1994

MRS. (WIKTEL) WIKTEL

FROM: WIKTEL WIKTEL

802-3346

closed: 03-08-93

FILE: WIKTEL - A.T. CUMMINGS

FILE NO:

SUBJECT: QUINCY SLIP CHANGE TURNED IN

04-02-1993, CLOSING 03-08-1993

REMARKS: WHAT STATUS?

1) & under name - full change record

2) full file - & change.

3) IT WIKTEL: verify status on date of it.

ROUTING INSTRUCTIONS:

CALENDAR DATES:

1) send 12 to informant

2) note new address

3) move to top of file for next-in-line processing per steps.

TOWNSHIP 13 SOUTH, RANGE 27 EAST, FOISE MERIDIAN

Section 6: ~~SEYSEY~~

Section 7: Commencing at the Northeast corner of said Section 7, running thence South 3926.4 feet to the Southeast corner of the ~~NEYSEY~~ of said Section 7; thence South 69°7' West along the South line of said Government Subdivision 2000 feet; thence North 15°47' West 1286.8 feet; thence North 17°20' East 1174.5 feet; thence North 6°40' West 1565 feet; thence North 69°23' East 2184 feet to the place of beginning.

LESS the following three exceptions:

Exception #1: Commencing at the Northeast corner of said Section 7, running thence South on the East line of said Section 7 for 466.67 feet; thence South 69°23' West 520 feet; thence North 466.67 feet; thence North 69°23' East 520 feet to the place of beginning.

Exception #2: Beginning at a point on the East boundary line of said Section 7, 1963.2 feet South of the Northeast corner thereof; running thence West parallel with the North boundary line of said Section 1912 feet; thence in a generally southerly direction parallel with the West boundary line of the land in said Section, Township and Range heretofore conveyed by Wells Hadfield and Sylvia A. Hadfield, his wife, to the parties of the first part (Jay E. Wake and Thora G. Wake, husband and wife) a distance of 1018 feet; thence West 30 feet to the West boundary line of the said tract conveyed by the Hadfields; thence South along the West boundary line of the said Hadfield land to the South boundary line of the ~~NEYSEY~~ of said Section 7; thence East along the South boundary line of the ~~NEYSEY~~ of said Section 7 to the East boundary line of said Section; thence North along the East boundary line of said Section 1963.2 feet to the place of beginning.

Exception #3: Beginning at the Northeast corner of the ~~NEYNE~~ of said Section 7; thence South 69°23' West 520 feet to the True Point of Beginning; Thence South 660 feet; thence West 140 feet; thence North 330 feet; thence Northwesterly 338 feet more or less to a point on the North boundary line of said ~~NEYNE~~ of Section 7, which is 215 feet West of the True Point of Beginning; thence East along the North boundary line 215 feet to the True Point of Beginning.

(Continued)

TOGETHER WITH an easement in and through, and the right to the use of that certain irrigation ditch, over, upon and across the said premises, known as the Hadfield ditch, and any branch ditches leading therefrom, for the purpose of transporting and conveying water for irrigation purposes through the said ditch and ditches for the irrigation of the real estate formerly owned by Wells Hadfield, as evidenced by WARRANTY DEED recorded December 7, 1940 as Instrument No. 137310 in Book 45 of Deeds on page 530, records of Cassia County, Idaho. Said easement runs across Exception #2, for the benefit of above described property.

TOWNSHIP 13 SOUTH, RANGE 27 EAST, BOISE MERIDIAN
Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ EXCEPT for the East 165 feet thereof.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

RESERVING to Kunaus, their successors, assigns and legal representatives an easement for ingress and egress running along and parallel with the southern boundary of the SW $\frac{1}{4}$ of Section 8 for the limited purpose of ingress and egress to the East 165 feet of the SW $\frac{1}{4}$ of Section 8 and the SE $\frac{1}{4}$ of Section 8 for the purpose of moving cattle and ingress and egress for the purpose of conducting a livestock business. Kunaus shall be responsible for all damage done to Wickels' property as a result of Kunaus' use of the easement and shall not interfere with Wickels' use of Wickels' property.

SUBJECT TO:

General taxes for the year 1993 and subsequent years.

AGREEMENT FOR ELECTRIC SERVICE, dated May 23, 1985, between Raft River Rural Electric Cooperative, Inc., an Idaho Rural Electric Cooperative of Malta, and Glen Kunau and Dona Kunau, recorded December 12, 1985 as Instrument No. 174763 on Film No. 177, records of Cassia County, Idaho. NE $\frac{1}{4}$ SE $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, Twp. 13 South, Rge. 27 E.B.M. Well located on the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7.

AGREEMENT FOR ELECTRIC SERVICE, dated February 17, 1988, between Raft River Rural Electric Cooperative, Inc., an Idaho Rural Electric Cooperative of Malta, and Alvin Neddoo/Rosella Neddoo, recorded April 18, 1988 as Instrument No. 194820 on Film No. 197, records of Cassia County, Idaho. SE $\frac{1}{4}$ of Sec. 6, Twp. 13 South, Rge. 27 E.B.M. Booster located on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6.

AGREEMENT FOR ELECTRIC SERVICE, dated June 12, 1992, between Raft River Rural Electric Cooperative, Inc., and Glen Kuna, recorded July 1, 1992 as Instrument No. 219773 on Film No. 236, records of Cassia County, Idaho. NE¼ of Sec. 7, Twp. 13 S., Rge. 27 E.B.M. and has a well on the NW¼NE¼ of Section 7.

<u>Water Right</u>	<u>Priority Date</u>	<u>CFS</u>	<u>Total Acres</u>	<u>Description</u>
43-04213	04/15/1959	2.500	80.0	Irrigation
43-04212	04/01/1894	2.000	82.0	Irrigation
43-10457	11/30/1971	.12		Stockwater

Kunaus transfer to Wickels all interest Kunaus have, if any, in Water Right Number 43-00127 describing priority date 04/01/1894 and 4.000 cfs but make no warranty concerning the same.

<u>Description</u>	<u>BLM</u>	<u>AUMs</u>
Warm Creek		460
Point Springs		551
Meadow Creek		459
FOREST SERVICE		
Sublett Forest		222
Cold Springs		389

THE STATE OF IOWA, ss. I, the Clerk of said State, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears in the records of said State.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Two Hundred Fifty Dollars (\$250.00) lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, conveyed and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate in the County of Davis, State of Idaho, to-wit:

The true course of the Eastern boundary line of Section 7, Township 13 South, Range 27 East 3rd Meridian, being considered as runs North and South as given by the Government field notes, commencing at the Northwest corner of Section 7, Township 13 South, Range 27 East 3rd Meridian, running thence South 3925.4 feet to the Southeast corner of the Northwest quarter of the Northwest quarter (NE1/4) of said Section 7, thence South 89 deg. 7 min. East along the South 1/2 section line of the last said government subdivision 2000 feet, thence North 3 deg. 47 min. East 1262.2 feet, thence North 17 deg. 20 min. East 1174.5 feet, thence North 6 deg. 40 min. East 1262.2 feet, thence North 89 deg. 23 min. East 2184 feet to the place of beginning, containing 193.2 acres, more or less, together with the following water right created to Eulla Hatfield, in the District Court of the United States for the District of Idaho, Southern Division, in that certain action entitled Albin-Idaho Land Company, v. John Adams, et al, to-wit:

4 s. f. of the waters of Bart River with date of priority of April 1, 1894.

Together with any and all other water, water rights, water privileges, and water interests therein belonging or in anywise appertaining, and all improvements thereon.

Reserving and reserving from the above described real estate the following tract of land, to-wit: Commencing at the Northwest corner of Section 7, Township 13 South, Range 27 East 3rd Meridian, running thence South on the east boundary line of said Section 7 (the same being the line between the last said government subdivision 2000 feet, thence North 3 deg. 47 min. East 1262.2 feet, thence North 17 deg. 20 min. East 1174.5 feet, thence North 6 deg. 40 min. East 1262.2 feet, thence North 89 deg. 23 min. East 2184 feet to the place of beginning, containing 193.2 acres, more or less, together with all water rights and water privileges thereon belonging or in anywise appertaining.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, profits, and all estates, rights, title and interest in and to the said property, as well in and to the profits of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, their heirs and assigns, against the said parties of the first part, their heirs and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will WARRANT and by these presents forever WARRANT.

This deed is made subject to the taxes, levies and assessments lawfully levied and assessed against the said premises for the year 1939 and all subsequent years.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals, the day and year first above written.

Witness, sealed and delivered in the presence of:

Eulla Hatfield (Seal)
Sylvia A. Hatfield (Seal)
Balter H. Steed, Jr.

On this 28th day of May, 1940, before me, Balter H. Steed, Jr., a Notary Public, in and for said State, personally appeared Eulla Hatfield and Sylvia A. Hatfield, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)
Balter H. Steed, Jr.
Notary Public, residing at C. Hatfield, Del.

My commission expires Sept. 10 - 1941.

Filed for record at request of E. H. Lowe at 1:35 P. M., June 17, 1940.

Fee: \$1.20.
George Booth, Jr., County Recorder.

EXHIBIT 222

THE STATE OF IOWA, ss. I, the Clerk of said State, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears in the records of said State.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Two Hundred Fifty Dollars (\$250.00) lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, conveyed and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate in the County of Davis, State of Idaho, to-wit:

The true course of the Eastern boundary line of Section 7, Township 13 South, Range 27 East 3rd Meridian, being considered as runs North and South as given by the Government field notes, commencing at the Northwest corner of Section 7, Township 13 South, Range 27 East 3rd Meridian, running thence South 3925.4 feet to the Southeast corner of the Northwest quarter of the Northwest quarter (NE1/4) of said Section 7, thence South 89 deg. 7 min. East along the South 1/2 section line of the last said government subdivision 2000 feet, thence North 3 deg. 47 min. East 1262.2 feet, thence North 17 deg. 20 min. East 1174.5 feet, thence North 6 deg. 40 min. East 1262.2 feet, thence North 89 deg. 23 min. East 2184 feet to the place of beginning, containing 193.2 acres, more or less, together with the following water right created to Eulla Hatfield, in the District Court of the United States for the District of Idaho, Southern Division, in that certain action entitled Albin-Idaho Land Company, v. John Adams, et al, to-wit:

4 s. f. of the waters of Bart River with date of priority of April 1, 1894.

Together with any and all other water, water rights, water privileges, and water interests therein belonging or in anywise appertaining, and all improvements thereon.

Reserving and reserving from the above described real estate the following tract of land, to-wit: Commencing at the Northwest corner of Section 7, Township 13 South, Range 27 East 3rd Meridian, running thence South on the east boundary line of said Section 7 (the same being the line between the last said government subdivision 2000 feet, thence North 3 deg. 47 min. East 1262.2 feet, thence North 17 deg. 20 min. East 1174.5 feet, thence North 6 deg. 40 min. East 1262.2 feet, thence North 89 deg. 23 min. East 2184 feet to the place of beginning, containing 193.2 acres, more or less, together with all water rights and water privileges thereon belonging or in anywise appertaining.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, profits, and all estates, rights, title and interest in and to the said property, as well in and to the profits of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, their heirs and assigns, against the said parties of the first part, their heirs and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will WARRANT and by these presents forever WARRANT.

...of the first part, for and in consideration of the conveyance to them of certain real estate by the parties of the second part, and of the payment to them from the parties of the second part of the sum of One Thousand Five Hundred Fifty Dollars (\$1,550.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit:

Tract No. 1:

Southeast quarter of the Southeast quarter (SE1/4) of Section Six (6), Township Thirteen (13) South, Range twenty-seven (27) East, Boise Meridian.

Tract No. 2:

Commencing at the Northeast corner of said Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, running thence South 35°26.4 feet to the Southeast corner of the Northeast quarter of the Southeast quarter (NE1/4) of said Section Seven (7), thence South 89°7' West along the South line of said Government Subdivision 2,000 feet, thence North 15°47' West 124.8 feet, thence North 17°20' East 1174.5 feet, thence North 6°40' West 1945 feet, thence North 89°23' East 2144 feet to the place of beginning, excluding and excluding therefrom the following specified tracts, to-wit:

1. Commencing at the Northeast corner of said Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, running South on the East line of said Section 466.67 feet, thence North 89°23' East 420 feet to the place of beginning.
2. Beginning at a point on the East boundary line of said Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, 1661.2 feet South of the Northeast corner thereof, running thence West parallel with the North boundary line of said Section 1912 feet, thence in a generally southerly direction parallel with the West boundary line of the land in said section, Township and Range heretofore conveyed by Wells Radfield and Sylvia A. Radfield, his wife, to the parties of the first part, a distance of 1018 feet, thence West 10 feet to the West boundary line of the said tract conveyed by the said Radfields, thence South along the West boundary line of the said Radfield land to the South boundary line of the Northwest quarter of the Southeast quarter (NW1/4) of said Section Seven (7), thence East along the South boundary line of the North half of the Southeast quarter (N1/2) of said Section Seven (7) to the East boundary line of said section, thence North along the East boundary line of said Section 1963.2 feet to the place of beginning.

THENCEWITH all improvements upon the premises hereby conveyed and all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest of the said parties of the first part therein, including without limitation thereto the following appurtenances to-wit: (1) The right to the use of two (2) second feet of the waters of Raft River with date of priority of April 1, 1894; (2) The irrigation well located upon the premises hereby conveyed, together with the right to the water pumped therefrom for irrigation of said premises, the irrigation pump and electric motor for the operation thereof, as well as all other apparatus and equipment of every kind or nature used in connection with the said well, pump and motor and all right of the parties of the first part in and to capital credits with the Raft River Rural Electric Cooperative, Inc., in connection with the sale by said company of electric energy for use in consumption upon the said premises; (3) All grazing privileges owned or held by the parties of the first part for the grazing of livestock on the public domain of the United States of America, under the supervision and management of the Bureau of Land Management as well as all grazing privileges so owned or held for the grazing of livestock upon the National Forest of the United States under the supervision and control of the United States Forest Service.

This deed is made subject to the following: (1) All taxes, levies and assessments taxed, levied or assessed against the said premises for the year 1960 and all subsequent years; (2) That certain mortgage, dated the 26th day of May, 1955, between the parties of the first part herein as Mortgagees and Klaus E. Lowe, Executor of the Estate of S. T. Lowe, deceased, as Mortgagor, given to secure the payment of the principal sum of \$6,000.00, as Mortgage, given to secure the payment of the principal sum of \$6,000.00, filed for record and recorded in the office of the County Recorder of Cassia County, Idaho, on the 3rd day of June, 1955, in Book 43 of Mortgage Records at pages 341-346. The parties of the first part certify and declare that they have paid all of the interest accruing upon the indebtedness secured by such mortgage from the date thereof until the 15th day of December, 1950, and that

at the date of this deed, unpaid upon the principal amount of the said mortgage debt the sum of \$2,500.00 principal, together with interest thereon from the 15th day of December, 1959, until paid, at the rate of seven per cent (7%) per annum. The parties of the second part hereby by the acceptance of this deed do undertake, assume and agree to pay the principal and interest remaining unpaid and secured by said mortgage as herein specified.

TO HAVE AND TO HOLD, A.I. and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever Warrant.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Jay E. Wake (SEAL)
Jay E. Wake
Thora G. Wake (SEAL)
Thora G. Wake

STATE OF IDAHO }
County of Cassia } SS.

On this 22nd day of January, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared Jay E. Wake and Thora G. Wake, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Wm. A. Parsons
Notary Public for Idaho,
Residing at Burley, Idaho.

(NOTARIAL SEAL)
Filed for record at request of Cassia County Abstract Co. at 3 o'clock P. M., April 15, 1960. *april 15, 1960*
Fees \$4.50 Frank B. Kearns, County Recorder

22-0077 *Just* SPECIAL WARRANTY DEED (\$4.40 Revenue Stamps Attached)

THIS INSTRUMENT, Made this 8th day of April, A. D. 1960 BETWEEN NORTHWESTERN AND PACIFIC HYPOTHECAIR, the party of the first part, and Fred E. Hayes and Aletha O. Hayes, husband and wife, the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Four thousand and no/100 \$4,000.00) - - - DOLLARS, lawful money of the United States, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Confirm unto the said parties of the second part, and to their heirs and assigns, the following described real property situate and being in the County of Cassia, State of Idaho, to-wit:

Lot Two (2), Section One (1), Township Ten (10) South, Range Twenty-four (24), E.B.M., Excepting therefrom all highway right-of-ways and pole line easements now in use or in any-wise affecting said premises.

TO HAVE AND TO HOLD, The said premises, with the appurtenances, unto said parties of the second part, and to their heirs and assigns forever.

And the said party of the first part does by these presents covenant and agree to and with the said parties of the second part, that if, the said party of the first part, its successors and assigns, all and singular, the said parties of the first part, described and granted, with the appurtenances, unto the said parties of the second part, their heirs and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through or under said party of the first part, shall and will WARRANT and forever Warrant.

IN WITNESS WHEREOF, the said party of the first part, has caused these presents to be signed and sealed the day and year first above written.

NORTHWESTERN AND PACIFIC
HYPOTHECAIR

Wm. A. Parsons
Notary Public for Idaho,
Residing at Burley, Idaho.

QUITCLAIM DEED

For Value Received LEE H. KUNAU and CELIA KUNAU, husband and wife

de hereby convey, release, remise and forever quit claim unto GLENN R. MILLER and DONA RENAE MILLER and wife,
1941 Miller Avenue, Butley, Idaho

Township 13 South, Range 27 East, Boise Meridian

Section 6: S53.54
Section 7: Connecting at the northeast corner of said Section 7, running thence N 89° 07' 00" E 100.00 feet to the southeast corner of the N53.54 of said Section

South 1/4 Sec. 36, T. 23S., R. 23E., S. 100W.,
7, thence South 69° 01' West along the South line of said Government
Abdication 2,000 feet, thence North 15° 47' West 1,286.3 feet, thence
North 17° 20' East 1,174.5 feet, thence North 69° 01' West 1,565 feet,
thence North 89° 23' East 2,184 feet to the place of beginning, EXCEPTING
AND EXCLUDING therefrom the following tracts, to-wit:

Commencing at the Northeast corner of said Section 7, running thence South on the East line of said Section 7 466.67 feet, thence South 89°23' West 510 feet, thence North 466.67 feet, thence North 89°23' East 510 feet to the place of beginning.

East 510 feet to the place of beginning.

Beginning at a point on the East boundary line of said Section 7, 1,963.2 feet South of the Northeast corner thereof, running thence West parallel with the North boundary line of said Section 1,912 feet, thence in a generally Southerly direction parallel with the West boundary line of the land here conveyed by Wells Macfield and Sylvia Hornum to said Walter Macfield conveyed by Wells Macfield and Sylvia Hornum to said Walter Macfield, to say to, Wake and Thora G. Wake, husband and wife, a distance of 1,018 feet, thence West 30 feet to the West boundary line of the said tract conveyed by the Macfields, thence South along the West boundary line of the said Macfield land to the South boundary line of the NE 1/4 of said Section 7, thence East along the South boundary line of the NE 1/4 of said Section 7 to the East boundary line of said Section, thence North along the East boundary line of said Section 1,963.2 feet to the place of beginning.

Beginning at the northeast corner of the "Egny" of said Section 7, thence South 89°23' West 520 feet to the true point of beginning; thence South 66°0' East, thence West 140 feet, thence North 33°0' East, thence South 66°0' East, thence West 140 feet, thence North 33°0' East, thence Northwesterly 338 feet more or less to a point on the north boundary line of said NE-1/4 of Section 7 which is 215 feet West of the point of beginning, thence East along the north boundary line 215 feet to the true point of beginning.

All grazing privileges owned or held by the parties of the first part for the grazing of livestock on the public domain of the Bureau of Land Management as well as all grazing privileges so owned or held for the grazing of livestock upon the National Forest of the United States shall be subject to the supervision and control of the United States Forest Service.

All water rights.

Dated: December 20, 1972

All water rights.

STATE OF IDAHO COUNTY OF Cassia
 Ch. 1714 20th day of December 1974.
 Before me a notary public in and for said State personally
 appeared
 LEX H. KUTNAH and CECILIA KUTNAH,
 husband and wife

known to be the person whose name James Earl
 subscribed to the within instrument, and acknowledged to
 me that they executed the same

Notary Public
Residing at
Butte, Idaho
Comm. Expires 7-1-1917

STATE OF IDAHO COUNTY OF Blaine
I hereby certify that the instrument was filed for record to
the request of JESSIE COUNTY ABSTRACT CO
at 33 minutes past 1 o'clock P. M.
this 3rd day of June 1905 in my office and duly recorded in Book
of Deeds at page 34 in 93 - 50538
J. A. Kline
By Barbara M. Mc
Ex-Officio Recorder
Fees \$ 1.00
Mailed to: D. C. Mc

INSTRUMENT No. 80838

ADJUDICATION CLAIM PROFILE REPORT
IDAH0 DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
PAGE: 1
DATE: 04/12/94

=====

OWNER	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD	DIVERSION RATE	DIVERSION VOLUME
CODE		DATE		FROM TO		
C	ARDEN EUGENE WICKEL	11/30/1971	STOCKWATER	01-01 12-31	0.12 CFS	
C	WYNELL F WICKEL HG61 BOX 1010 MALTA ID 83342				0.12 CFS	
				TOTAL DIVERSION:		

Water source: Groundwater

Point(s) of Diversion: T13S R27E S07 NESWE CASSIA County

Usage of water | area | Description for: STOCKWATER

NE MN MS SE

NENE NMNE SMNE SENE : NENW NMNW MNMW MNMN SENW : NESW NMNW SWSW SESW : NESE NMSE SWSSE SESE :

[illegible]

135 276 6 :

[illegible]

POU County: CASSIA

Non-Irrigation Uses: STOCKWATER, 500 RANGE CATTLE

Other Rights: NONE

Remarks: PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175

Verifying the data

Dates: _____ Exam Made Date: _____ Verified Date: _____

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

Presumption flag:

Water right number - R43-10457 Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acre	Code	Description	County
13S	27E	8	NE SE	04	STOCKWATER	(31)	CASSIA	
13S	27E	8	NW SE	04	STOCKWATER	(31)	CASSIA	
13S	27E	8	SW SE	04	STOCKWATER	(31)	CASSIA	
13S	27E	8	SE SE	04	STOCKWATER	(31)	CASSIA	

Total Acres:

- - - Diversion Means - 6"X80' WELL, PIPE, STOCK TANKS
- - - Non-Irrigation Use - STOCKWATER, 500 RANGE CATTLE
- - - Other Rights for Same Use - NONE

Remarks
PARCEL NOS. RP13S27E069000, RP13S27E070150, RP13S27E083175

- - - Old Water Right Numbers Found

- - - Conditions of Approval found.

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

- - - Comments-
Date: 04/21/1992 User Id: SMITH Subject: COPIED FROM REMARKS
Date: 04/12/1994 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 4/2/93 ORIGINAL OWNERS GLEN R & DONA KUNAU NEW OWNES ARDEN EUGENE AND WYNELL F WICKEL. ORIGINAL OWNERS SIGNED FORM AND LEGAL DESCRIPTION SUBMITTED.

- - - Audit Fields 04/12/94 GIVENS

- - - Adjudication Rights Dates and Flags Area - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Judicial District -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Temporary Right - P
Claim Received Date - 06/09/1989 Last Amended Date - 00/00/0000 Water District - S
Receipt Number - S007861 Federal/State Indicator -
POU Ownership Flag - Name Connector - Presumption Flag -
Name Connector - Notice of Error Flag -



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83304 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

APRIL 8 1994

ARADEN EUGENE WICKEL
WYNELL F WICKEL
HC 61 BOX 1010
MALTA ID 83342

RE: ADJUDICATION CLAIM(S) A43-04213, A43-04212, A43-00127 & A43-10457
in the name of GLEN R KNUAU AND DONA KUNAU

Dear Mr. & Mrs. Wickel:

Thank you for sending to us the NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form on April 3, 1993. We apologize for the length of time it has taken to review your claims. I can change the name and address on the claims, however, in looking at A43-00127, I do have some questions. Our computer system shows it is not a valid adjudication claim, the status shows a Z code (proof report enclosed). I would suggest that you plan on coming in to our office here in Twin Falls, at your convenience, and visiting with an adjudication agent to review your legal papers that you received when you purchased this property.

These are busy time and the agents are out in the field a lot, so it probably would be wise to call 736-3033 and made an appointment with an agent before traveling in to Twin Falls. Should you have any questions, please feel free to contact me at this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

APR 11 1994

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: A43-10457
Date Received: 6/09/1989
Receipt No: \$007861
Received By: CU

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN R. KUNAU 208-678-5310
Address: 1941 MILLER AVE
BURLEY, ID 83318

2. Date of Priority: NOV 30, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
13S 27E 7 NE SW NE CASSIA

5. Description of diverting works:
6"X80' WELL, PIPE, STOCK TANKS

6. Water is used for the following purposes:

Purpose From To C.F.S (or) A.F.A.
STOCKWATER 01/01 12/31 0.120

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	27E	6	SE		STOCK	
		7	SW	NE	STOCK	
		8	SE	NW	STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	27E	8	NE	SW	STOCK	
			NW	SW	STOCK	
			SW	SW	STOCK	
			SE	SW	STOCK	
			NE	SE	STOCK	
			NW	SE	STOCK	
			SW	SE	STOCK	
			SE	SE	STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMED S1/2 OF SEC 8 FOR P/U.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
MAR 05 1993

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 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

State of Idaho) ss.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of 19

Seat

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 05 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

Identification No. A43-10457

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
RECEIVED

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

Filing Fee \$25

Department of Water Resources
Bozeman Region Office

MAR 05 1993

Please type or print clearly

1. Name of Claimant (s) GLEN R. KUNAU Phone (209) 678-5310

Mailing Address 1941 MILLER AVE. BURLEY IDAHO Zip 83318

2. Date of Priority (Only one per claim) Nov. 30, 1971 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____ Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 13 S Range 27 E.B.M.

Section 7 , NE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of Cassia

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. Well 6" casing 80' deep with pipelines to Stock tanks in various pastures

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

For Stock purposes from Jan 1 Month/Day to Dec 31 Month/Day amount 0.12 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.12 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stock Cattle 500

10. Place of use is, Township: 13 S Range 27 E. B.M. Sec. 7, NE 1/4, Sec 6 SE 1/4, SE 1/4
Section 8 - S 1/4 & SE 1/4 of NW 1/4, Gov. Lot 1/4, B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any

11. In which county (ies) are lands listed above as place of use located? 243-10457

12. Do you own the property listed above as place of use? Yes X No
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. None ()
None

14. Remarks:

15. Basis of Claim (Circle One) (Beneficial Use) Posted Notice License Permit Decree

Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number

16. Signature (s)

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) *Alan K. Kuna* Date *May 29, 1989*
 Date

For Organizations: I do solemnly swear or affirm that I am Title

of Organization , that I have signed the foregoing
document in the space below as of Organization

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

Signature of Authorized Agent Date

Title and Organization

State of Idaho/or)

SS.

County of CASSIA)

Subscribed and sworn (or affirmed) before me this 29th day of MAY 19 89

SEAL

Notary Public *Julia W. Gulley*
Residing at BURLEY IDAHO

My Commission Expires AUG. 31, 1994

Last Name KUNAU Ident No.

Copies: White-State, Yellow-Claimant **FILED**

MAR 05 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KETH HIGGINSON
Director

23-JUL-1991 08:49

Glen R. Kunau
1941 Miller Ave.
Burley, Idaho 83318

RE: Notice of Claims for Stockwater Use
A43-10452 thru A43-10457 and A43-10459 thru A43-10463

Dear Mr. Kunau:

The Department has hired a contractor to start the field review of the Domestic and Stockwater claims in Basin 43 (Raft River Area). His preliminary review of your claims has brought to our attention the possibility that the places of use described on your claims may include all the land that you own or lease and not just the physical locations of your watering troughs or tanks.

To clarify this matter you are requested to submit maps which clearly describe each water system being claimed. On each map there should be clearly marked the location of each well and the locations of each watering trough or tank where the cattle drink. If you wish you may make an appointment with our office to review the maps we have on file which may help you in preparing maps of your systems.

We request that the maps or clarification of your places of use be submitted to our office by **August 16, 1991**.

If you have questions please feel free to contact me at this office.

Sincerely,

Allen Merritt P.E.
Water Rights Supervisor

MICROFILMED
MAR 05 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Jul-1991 08:49

Glen R. Kunau
1941 Miller Ave.
Burley, Idaho 83318

RE: Notice of Claims for Stockwater Use
A43-10452 thru A43-10457 and A43-10459 thru A43-10463

Dear Mr. Kunau:

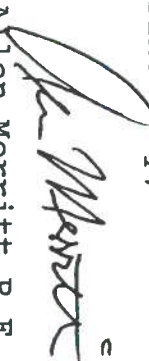
The Department has hired a contractor to start the field review of the Domestic and Stockwater claims in Basin 43 (Raft River Area). His preliminary review of your claims has brought to our attention the possibility that the places of use described on your claims may include all the land that you own or lease and not just the physical locations of your watering troughs or tanks.

To clarify this matter you are requested to submit maps which clearly describe each water system being claimed. On each map there should be clearly marked the location of each well and the locations of each watering trough or tank where the cattle drink. If you wish you may make an appointment with our office to review the maps we have on file which may help you in preparing maps of your systems.

We request that the maps or clarification of your places of use be submitted to our office by **August 16, 1991**.

If you have questions please feel free to contact me at this office.

Sincerely,


Allen Merritt P.E.
Water Rights Supervisor

MICROFILMED

MAR 05 1993

ENTERED 4-21-98
CHECKED 6/16/92