

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

Renumbered A35-02647A
Ident. Number: ~~A35-02647~~
Date Received: 4/28/1989
Receipt No: *12865*
Received By: _____

RECEIVED
SEP 20 1989

SEP 25 1989

Department of Water Resources

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE
Address: P.O. BOX 10
BLACKFOOT, ID 83221

208-785-0820

2. Date of Priority: FEB 13, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
05S	31E	9	NW	SE		

County
BINGHAM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.830		

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

A.F.A.

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

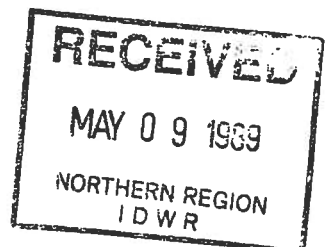
Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	31E	9	NE	SE		IRR	13.0
			NW	SE		IRR	40.0
			SW	SE		IRR	35.0
			SE	SE		IRR	12.0

Section Acres 100.0

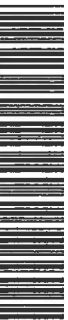
A35-02647

Page 1

Date: 04/28/89



A3502647A



MICROFILME

DEC 10 1992

10. Place of Use: Continued

Total Acres 100.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 29466

16. Signatures(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: 1

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

5/4/89
(Date)

State of WASHINGTON)
~~Idaho~~)
County of SPOKANE) SS.
~~Kootenai~~)

Subscribed and sworn (or affirmed) before me this 4th day of May, 1989

C. M. Byrd
Notary Public

SEAL

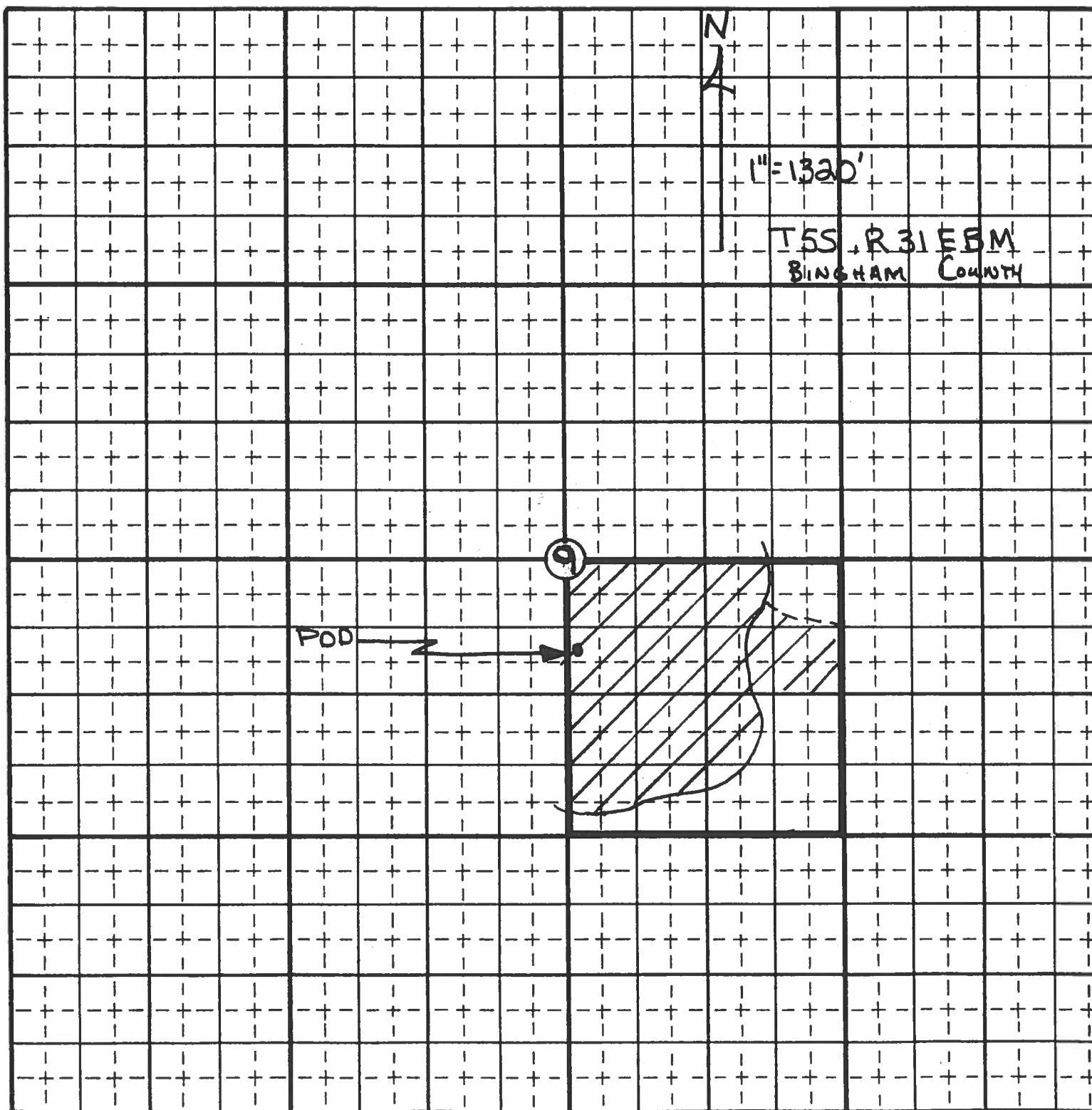
Residing at Spokane, WA
My Commission Expires: 8-17-89

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DEC 10 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{2}$ inches equals 1 mile



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DEC 10 1992

Last Name FARM CREDIT BANK Ident No. A35-2647
OF SPOKANE

Copies: White-State, Yellow-Claimant

MEMO TO SRBA CLAIM FILE NO.

A35-02647A, B

Form Credit Bank of Spokane

CLAIMANT'S NAME:

Edith Right Wilets

DATE:

8/15/80

EMPLOYEE:

Schuldt

Claim #'s A35-02647A and A35-02647B were created as two claimants lay claim to same POU and Basis of Claim and such that the Claims and Receipts will match up, and enter the Host Master until claimants withdraw, amend, contest, etc to a resolution.

Claimant must be notified regarding change of Claim ID# and the situation in order to resolve BAS

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DEC 10 1992

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: A35-02647A
Date Received: 5/09/1989
Receipt No: N002865
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-785-0820
Address: P.O. BOX 10
BLACKFOOT, ID 83221
2. Date of Priority: FEB 13, 1961
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | | | | | | | | | | |
|----------|-------|---------|-----|----|-----|----|-----|-----|---------|
| Township | Range | Section | 1/4 | of | 1/4 | of | 1/4 | Lot | County |
| 05S | 31E | 9 | | | NW | | SE | | BINGHAM |
5. Description of diverting works:
6. Water is used for the following purposes:
- | | | | | | |
|------------|------|----|-------|------|--------|
| Purpose | From | To | C.F.S | (or) | A.F.A. |
| IRRIGATION | | | 1.830 | | |
7. Total Quantity Appropriated is:
1.830 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 350.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	31E	9	NE		SE		IRR	13.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	12.0

Section Acres 100.0

A35-02647A

Page 1

Date: 08/16/89

MICROFILMED
DEC 10 1992

10. Place of Use: Continued

Total Acres 100.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

CLAIMS A35-02647A AND A35-02647B WERE CREATED AS TWO CLAIMANTS LAY CLAIM TO THE SAME POU AND BASIS OF CLAIM, LIC.#35-02647, AND SUCH THAT THE CLAIMS AND RECEIPTS MATCH UP AND ENTER THE HOST MASTER UNTIL CLAIMANTS CAN RESOLVE THE SITUATION BY AMMENDING, WITHDRAWL, OR CONTEST.BAS.

15. Basis of Claim: LICENSE

Water Right Number: 29466

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 _____

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: A35-02647A
Date Received: 5/ 9/1989
Receipt No: N002865
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VAL F WAHLEN
Address: PO BOX 442
ABERDEEN ID 83210
208-397-4392

2. Date of Priority: FEB 13, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	31E	9	NW	SE			BINGHAM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			1.830		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	31E	9	NE	SE		IRR	13.0
			NW	SE		IRR	40.0
			SW	SE		IRR	35.0
			SE	SE		IRR	12.0

A35-02647A

Page 1

Date: 03/11/93

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APR 15 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

CLAIMS A35-02647A AND A35-02647B WERE CREATED AS TWO CLAIMANTS LAY CLAIM TO THE SAME POU AND BASIS OF CLAIM, LIC.#35-02647, AND SUCH THAT THE CLAIMS AND RECEIPTS MATCH UP AND ENTER THE HOST MASTER UNTIL CLAIMANTS CAN RESOLVE THE SITUATION BY AMMENDING, WITHDRAWL, OR CONTEST.BAS.

15. Basis of Claim: LICENSE

Water Right Number: 29466



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 055 Range 31E
Section 9, 1/4 of 1/4 of SE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. sec. 16 W 1/2 NE 1/4

☐ 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: A35-04039 and A35-02647A

☒ Name and Address of Former Owner/Claimant(s)(Seller): Farm Credit Bank of Spokane PO Box 10 Blackfoot
83221

☐ New Owner/Claimant (Purchaser): Val F. Wahlen

☐ New Mailing Address: PO Box 442
Aberdeen ID 83210

☐ New Telephone Number: (208) 397-4392

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty deed & Disclaimer

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Val F. Wahlen Date 3/1/93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

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APR 15 1994

WARRANTY DEED

For Value Received

CHESTER WAHLEN and ORVA MARIE WAHLEN, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

VAL F. WAHLEN and LORI WAHLEN, husband and wife

whose current address is

P. O. Box 442
Aberdeen, ID 83210the grantee s, the following described premises, in Bingham County Idaho, to wit:

SEE ATTACHED SCHEDULE A

Subject to taxes and assessments for the year 1991 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the grantees.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 9, 1991



Chester Wahlen



Orva Marie Wahlen

STATE OF IDAHO, COUNTY OF Bingham
On this 11th day of Sept., 19 91,
before me, a notary public in and for said State, personally
appeared

Chester Wahlen and Orva Marie Wahlen

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


Notary Public
, IdahoResiding at Blackfoot
Comm. Expires 11/16/91

401260

RECORDED
CLERK OF DISTRICT COURT
6⁰⁰ P5

1991 SEP 12 AM 11:14

AMERICAN LAND TITLE CO., INC.

MICROFILMED

APR 15 1994 AZ5-04039
02647 A2B

SCHEDULE A

PARCEL I:

The West half of the Northeast Quarter of Section 16, Township 5 South, Range 31 East Boise Meridian, Bingham County, Idaho, LESS that portion thereof beginning at a point on the North line of said Section 16 which point bears S 89°40' E a distance of 637.3 feet from the North Quarter Corner of said Section 16; and running thence on a meander line S 22°00' W a distance of 235.4 feet along a fence line; thence N 89°53' E a distance of 223.7 feet (which line runs parallel to and 9.0 feet North of the North side of a "Labor" house); thence N 33°40' E a distance of 45.0 feet; thence N 0°21' E a distance of 179.4 feet to a point on the North line of said Section 16; thence N 89°40' W a distance of 161.5 feet, more or less, along the North line of said Section 16, to the Point of Beginning.

ALSO EXCEPTING: Beginning at the N $\frac{1}{4}$ corner of said Section 16 and running thence East along the North line of said Section 400 feet, thence South 190 feet to a point that is 400 feet East of the North-South centerline of Section 16, thence West 400 feet to the North-South centerline, thence North 190 feet along said North-South centerline to the Point of Beginning.

PARCEL II:

The Southeast Quarter of Section 9, Township 5 South, Range 31 East of the Boise Meridian, Bingham County, Idaho EXCEPTING therefrom those portions deeded to the State of Idaho for highway right-of-way by instruments recorded August 31, 1935, Book 58, Page 292, Instrument No. 3433 and recorded January 15, 1969, Book 8 as Instrument No. 144301. (copies attached)

ALSO EXCEPTING that portion thereof beginning at the South Quarter corner of Section 9, and running thence S 89°40' E a distance of 637.3 feet along the South line of said Section 9; and running thence N 22°00' E a distance of 157.7 feet to a point on the South bank of the High-Line Canal of the Aberdeen-Springfield Canal Co., and on the Southwest Corner of a bridge; and running thence on a meander line on the South bank of said High-line Canal N 87°50' W a distance of 263.5 feet; thence N 71°12' W a distance of 149.0 feet; thence N 45°47' W a distance of 244.5 feet; thence N 72°46' W a distance of 123.0 feet to a point which is on the South bank of said High-Line Canal and also on the West Line of the Southwest Quarter of the Southeast Quarter of said Section 9; thence S 0°05' E a distance of 407.4 feet, more or less, along the said West Line of the Southwest Quarter of the Southeast Quarter of Section 9, (on which is located a long established property line fence) to the point of beginning.

FURTHER EXCEPTING THEREFROM: Beginning at a point that is West along the Section line 576.74 feet and N 07°11'55" W 14.0 feet from the Southeast corner of said Section 9, and running thence N 07°11'55" W 812.14 feet; thence S 49°05'10" E 220.93 feet; thence S 75°09'00" E 67.81 feet; thence N 79°16'05" E 202.23 feet; thence S 29°10'00" E 123.96 feet; thence N 87°17'10" E 131.37 feet to the West line of State Highway 39; thence S 00°24'59" E along said West line 221.15 feet; thence S 06°17'58" W 157.67 feet; thence S 00°18'55" E 185.37 feet; thence leaving said West line S 88°11'01" W 506.65 feet to the Point of beginning.

ALSO EXCEPTING a right of way for canal.

PARCEL III:

A 20 foot easement, located 10 feet on either side of an existing buried irrigation pipeline to a well, which is located approximately along the following line: Beginning at a point that is 40 feet South and 400 feet East of the N $\frac{1}{4}$ corner of Section 16, Township 5 South, Range 31, East of the Boise Meridian; and running thence West 360 feet, thence South 150 feet.

PARCEL IV:

A 20 foot easement, 10 feet on either side of an existing irrigation pipeline to a well, approximately located on the following line: Beginning at the S $\frac{1}{4}$ corner of Section 9, Township 5 South, Range 31 East Boise Meridian, and running thence North 40 feet to the true point of beginning; thence S 89°40' E a distance of approximately 557.3 feet parallel to the South line of said Section 9; and running thence N 22° E approximately a distance of 117.7 feet to a well which is located on the South bank of the High-Line Canal of the Aberdeen Springfield Canal Company; and approximately 80 feet West of the SW corner of a bridge located on said High-Line Canal.

401260

MICROFILMED

APR 15 1994

Loan No.
FCS *A*

This appraisal has been prepared for the sole use and specific needs of Farm Credit Services. To the extent any third party relies upon or uses this appraisal, Farm Credit Services and the person making this appraisal hereby disclaim any liability for the contents therein and for any changes that may have occurred since the date of appraisal.

B. Climate

G. Subject Property

Non-farm Influences: (Blank=None, 1=Slight, 2=Moderate, 3=Substantial)

Highest and Best Use:

Date of Inspection

Main Dwelling

Specialized Facility

Assignment of 170 shares of ~~Springfield~~ ^{Aberdeen-Springfield} Aberdeen Canal Co.
completion of form G2-201.

The following equipment to be included in the mortgage by special clause.
UCC Required.

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APK 15 1994

EXHIBIT A

PARCEL I:

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ALSO EXCEPTING: Beginning at the N $\frac{1}{4}$ corner of said Section 16 and running thence East along the North line of said Section 400 feet, thence South 190 feet to a point that is 400 feet East of the North-South centerline of Section 16, thence West 400 feet to the North-South centerline, thence North 190 feet along said North-South centerline to the Point of Beginning.

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FURTHER EXCEPTING THEREFROM: Beginning at a point that is West along the Section line 576.74 feet and N 07°11'55" W 14.0 feet from the Southeast corner of said Section 9, and running thence N 07°11'55" W 812.14 feet; thence S 49°05'10" E 220.93 feet; thence S 75°09'00" E 67.81 feet; thence N 79°16'05" E 202.23 feet; thence S 29°10'00" E 123.96 feet; thence N 87°17'10" E 131.37 feet to the West line of State Highway 39; thence S 00°24'59" E along said West line 221.15 feet; thence S 06°17'58" W 157.67 feet; thence S 00°18'55" E 185.37 feet; thence leaving said West line S 88°11'01" W 506.65 feet to the Point of beginning.

ALSO EXCEPTING a right of way for canal.

PARCEL III:

A 20 foot easement, located 10 feet on either side of an existing buried irrigation pipeline to a well, which is located approximately along the following line:

Beginning at a point that is 40 feet South and 400 feet East of the N $\frac{1}{4}$ corner of Section 16, Township 5 South, Range 31, East of the Boise Meridian; and running thence West 360 feet, thence South 150 feet.

(CONTINUED)

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APR 15 1994

PARCEL IV:

20 foot easement, 10 feet on either side of an existing irrigation pipeline to a well, approximately located on the following line:
beginning at the S $\frac{1}{4}$ corner of Section 9, Township 5 South, Range 31 East Boise Meridian, and running thence North 40 feet to the true point of beginning; thence S 89°40' E a distance of approximately 557.3 feet parallel to the South line of said Section 9; and running thence N 22° E approximately a distance of 117.7 feet to a well which is located on the South bank of the High-Line Canal of the Aberdeen Springfield Canal Company; and approximately 80 feet West of the SW corner of a bridge located on said High-Line Canal.

385604

DAWSON COUNTY RECORDER
BLACKFOOT, IDAHO
DEC 12 1989

1989 DEC -1 PM 3:07

RECORDED AT THE REQUEST OF
AMERICAN LAND TITLE CO., INC

MICROFILMED

APR 15 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MARCH 11, 1993

VAL F WAHLEN
PO BOX 442
ABERDEEN ID 83210

RE: CHANGE IN OWNERSHIP FOR A35-04039 AND A35-02647A

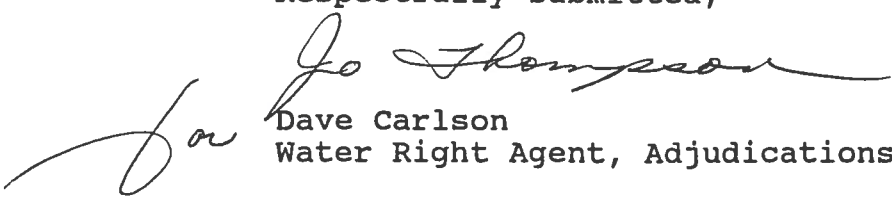
Dear Mr. Wahlen:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'for Dave Carlson'.
Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies of Notices

cc: Farm Credit Bank of Spokane

MICROFILMED

APR 15 1994

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 24 1998

Department of Water Resources
Eastern Region

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 35-02647A

VAL F WAHLEN
PO BOX 442
ABERDEEN ID 83210

Daytime Telephone Number:

Evening Telephone Number:

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



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

My well is shallow and was put in as a supplement well. I've continued using this well but I worry about dual water rights. I want to continue to use this well but I would like to classify these shallow perch wells as surface ~~gro~~ water

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

With a changed point of delivery because they ~~fluc~~ fluctuate with the canal water and are so shallow that they can have to be charged by canal Subwat

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

DATE: 12-18-98 SIGNATURE: Val Wahlen
Please print your name: VAL WAHLEN

Can't do this => Letter written - All's OK,

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

Department of Water Resources

f

8 January 1999

Val Whalen
PO Box 442
Aberdeen ID 83210

Re: Notice of Error reply, 35-02647A

Dear Mr. Whalen:

The Department is in receipt of your Notice of Error reply as referenced above. Your response indicates a concern about "dual water rights". Apparently, you have both well water and canal water for irrigation purposes. This is the case with many farms and ranches, and is not a problem. The well is intended as a supplemental right to the canal water. The canal water should be used to its maximum availability then the well should be used to offset any short-coming of canal water.

Further, you have suggested these "shallow wells " be classified as surface water. This is probably not possible even though it appears recharge is from canal water. Such changes require transfers and earlier attempts have been unsuccessful.

As I assess your concerns referenced by the Notice of Error your water rights appear to be in order. However, should you have further concerns regarding this matter please contact this office to make an appointment to visit.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: file

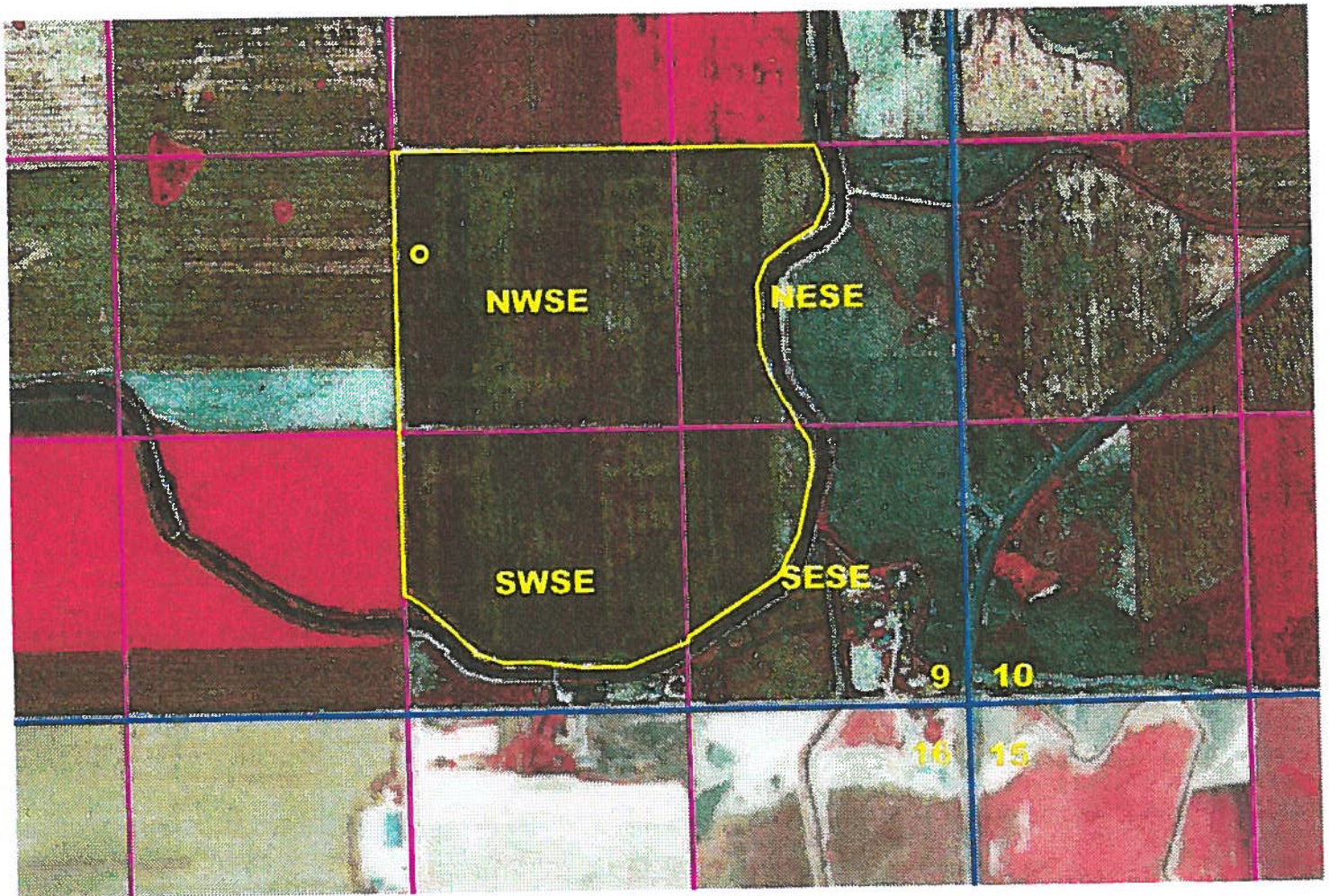


STATE OF IDAHO

Department of Water Resources
Eastern Region

Claimant: VAL WAHLEN

Water Right(s): 35-02647A

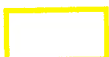


0 660 1320 1980 Feet

LEGEND



Point of Diversion



Place of Use



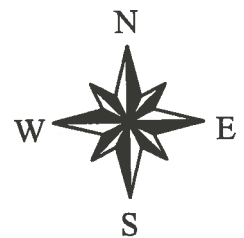
Section Line



Quarter-section line

Legal Description: T05S R31E
sec. 9 SE 1/4

Point(s) of Diversion T05S R31E
sec. 9 NWNWSE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: S. Van Hoff
Date: OCT 1998

Stage: LICENSE

BINGHAM County

27

TOTAL ACRES 100-D

Objection Filed Date:

Date: 05/05/1993 User-ID: VERNER Subject: COPIED FROM REMARKS CLAIMS A35-02647A AND A35-02647B WERE CREATED AS TWO CLAIMANTS LAY CLAIM TO THE SAME POU AND BASIS OF CLAIM, I.I.C.#35-02647, AND SUCH THAT THE CLAIMS AND RECEIPTS MATCH UP AND ENTER THE HOST MASTER UNTIL CLAIMANTS CAN RESOLVE THE SITUATION BY AMENDING,

AJ0749NP
No. R35-02647A

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

DATE: 11/12/98
PAGE: 2

Comments: Date: 05/05/1993 User-ID: VERNER Subject: COPIED FROM REMARKS
WITHDRAWAL, OR CONTEST.BAS.

Date: 07/26/1993 User-ID: VERNER Subject: COPIED FROM REMARKS
CLAIMS A35-02647A AND A35-02647B WERE CREATED AS TWO CLAIMANTS
LAY CLAIM TO THE SAME POU AND BASIS OF CLAIM. LIC.#35-02647, AND
SUCH THAT THE CLAIMS AND RECEIPTS MATCH UP AND ENTER THE HOST
MASTER UNTIL CLAIMANTS CAN RESOLVE THE SITUATION BY AMENDING,
WITHDRAWAL, OR CONTEST.BAS.

CLAIM A35-02647B WAS WITHDRAWN ON 10-2-92. SF

Audit: 11/12/98 SVANHOFF

NO. OF CLAIMS IN POLYGON _____

CLAIM NUMBERS 35-02647ADATE 10-27-98

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT SUHTOTAL ACRES FROM RECOMMENDATION 100GEOGRAPHIC INFO SYSTEM 99

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	55	31E	9				16									16	39	33	12
GIS																16	40	31	12
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF 1247

ATTRIBUTES OF B35-POU.SHP () _____

B35-DBPOD.DBF 1435

ATTRIBUTES OF B35-POD.SHP () _____

Claimant: _____

P.O.D./Source # G.W. S.W.

Township , Range , Sect.

1. 55 31E 9 NW/NE

2. _____

3. _____

Other Rights: _____

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

A35-02647A
VAL F WAHLEN
PO BOX 442
ABERDEEN ID 83210

5 1002865

New owner, address of address:

OWNER CODE: C

VAL F. WAHLEN

FIELD EXAM REQUIRED?

DATE: Y

FIELD EXAMINER

PO Box 442

ABERDEEN, ID. 83210

CLAIM REMARKS:

CLAIMS A35-02647A AND A35-02647B WERE CREATED AS TWO CLAIMANTS LAY CLAIM TO THE SAME POU AND BASIS OF CLAIM, LIC.#35-02647, AND SUCH THAT THE CLAIMS AND RECEIPTS MATCH UP AND ENTER THE HOST MASTER UNTIL CLAIMANTS CAN RESOLVE THE SITUATION BY AMENDING, WITHDRAWAL, OR CONTEST, BAS.

→ A35-02647B WAS

WITHDRAWN ON 10-2-92-SS

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () - - - -

DATE OF FIELD EXAM: 2/2/93

APPOINTMENT MADE: Y() N(X)

TIME: : - - - A() P()

ACCOMPANIED BY:

PHONE NUMBER: () - - - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

Desk Top Review / 00286, MAP AB36NE 940 House Exam.

A. AS CLAIM: # A35-02647A PRIORITY DATE: 02-13-1951 STAGE: L ✓
B. MR RECORD: # 35-02647 PRIORITY DATE: 02-13-1951 STAGE: L ✓

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N DATABASE EXAMINER FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X) ✓
IF YES EXPLAIN.

REMARKS: VERIFIED MATCH w/ LICENSE

RECOMMENDED PRIORITY DATE:
02-13-1951

REVIEWED BY SB DATE 2/2/93

A. AD CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	T.P.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-02647A	055	31E	9		NW	SE		BINGHAM

OTHER AD CLAIMS WITH SAME AD POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A35-02547
NONE

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	T.P.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-02547	055	31E	9		NW	SE		BINGHAM

OTHER WR RECORDS WITH SAME WR POD

AD CLAIMS IN SAME 40 ACRE TRACT
A PREFIX

NONE

A35-02647
A35-02647B

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	N

REMARKS:

VERIFIED IS NOT CLAIMING A CHANGE OF POD. OD 286 SHOWS POD IS NW 1/4 THE NW 1/4 SE SEC 9.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
 TWP. R3E. S1C. 1/4 1/4

1/4

LOT

COUNTY

SS 3E 9

SS 3E 9

SE

3.1259

SOURCE: GROUNDWATER

TR18:

REVIEWED BY:

BA

DATE:

2/2/93

A. ROOT WATER RIGHT NUMBERS:

A35-02647
A35-02647A

A35-02647B

B. POJ LISTING

TRP RNB	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	AR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
035	51E	9	SE		FARM CREDIT BANK OF SPOKANE	A35-02647A /13.0	-		38	16 WEST OF CANAL
			NE		PALMER, FERRELL	A35-02647B /28.0	-			
			SE		DELETE, DUAL CLAIMS	A35-02647 /13.0	35-02647	/13.0		
035	51E	9	SE		FARM CREDIT BANK OF SPOKANE	A35-02647A /40.0	-		39	39 ROAD WEST EDGE
			NE		DELETE, DUAL CLAIMS	A35-02647 /40.0	35-02647	/40.0		
			SE		PALMER, FERRELL	A35-02647B /39.0	-			
035	51E	9	SE		FARM CREDIT BANK OF SPOKANE	A35-02647A /12.0	-			
			NE		DELETE, DUAL CLAIMS	A35-02647 /12.0	35-02647	/12.0		
			SE		PALMER, FERRELL	A35-02647B /13.0	-			
			SE		LING, ROGER D.	A01-0206460/30.0	-			
			SE		LING, ROGER D.	A01-0209720/30.0	-			
			SE		LING, ROGER D.	A01-0202320/30.0	-			
			SE		LING, ROGER D.	A35-0254320/30.0	-			
			SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/30.0	-			
			SE		LING, ROGER D.	A01-0205860/30.0	-			
			SE		LING, ROGER D.	A01-0206880/30.0	-			
035	51E	9	SE		FARM CREDIT BANK OF SPOKANE	A35-02647A /35.0	-			
			NE		DELETE, DUAL CLAIMS	A35-02647 /35.0	35-02647	/35.0		
			SE		PALMER, FERRELL	A35-02647B /19.0	-			
			SE		LING, ROGER D.	A01-0206460/38.0	-			
			SE		LING, ROGER D.	A01-0202320/38.0	-			
			SE		LING, ROGER D.	A01-0209720/38.0	-			
			SE		LING, ROGER D.	A35-0254320/38.0	-			
			SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/38.0	-			
			SE		LING, ROGER D.	A01-0205860/38.0	-			
			SE		LING, ROGER D.	A01-0206880/38.0	-			
TOTAL ACRES						A35-02347A	100.30	147.00	100	100

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

FIELD
DATABASE
EXAMINER
Y

38 39 North of Canal

34 12 WEST OF CANAL

PRESCRIPTION FLAG:

REMARKS:

VEHICLE IS NOT CHANGING AND EXPANSION OF CHANGE OF USE. THERE HAVE HOWEVER BEEN 2 CHANGES FILED FOR THIS SAME PLANT & FOR. SEE NOTES BELOW. COS - ADJUST FOR A35-02647B WAS WITHDRAWN ON 10-2-92 SE

PREVIOUS TO 82
REVISOR 00-
NO ISSUES

RECOMMENDATIONS:

TOTAL SCORE: 100

REVIEWED BY: EA DATE: 2/2/93

2/2/93 • PHONE CALL TO BISHOP COUNTY ASSESSOR: NUMBER OF SECT 9 TSS 932E. 1620 HRS

1st 1st LAMEN
PO BOX 414
ABERDEEN
146 (15675 2700 W) # 397-4392

35-04D39
4/1/1994 G.W.

2/2/93 • PHONE CALL w/ LANCE BETTKE FARM CREDIT BANK OF SPOKANE, BRANFORD OFFICE. 1630 HRS
LANCE SAID THAT THEY DO HAVE A MORTGAGE THAT IS 1st 1st LAMEN ON THIS PROPERTY. BANK OBTAINED THE PROPERTY 10/5/1989 VIA SHERIFFS SALE. THEY THEN SOLD IT TO FURK ON 10/89. THEY NOW HAVE MORTGAGE IN LAMEN'S NAME.

2/2/93 PHONE CALL w/ LOEL LAMEN: 1 DISCUSSED THE SITUATION w/ THIS RIGHT w/ MRS. LAMEN. SHE SAID SHE WOULD HAVE HER HUSBAND CONTACT ME TO SCHEDULE AND APPOINTMENT TO STRAIGHTEN THIS OUT. 1645 HRS

A. AS CLAIMED USES:

PURPOSES
A35-02647A IRRIGATION

FROM MONTH/DAY
TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.830 CFS
1.830 CFS

B. NR RECORDED USES:

PURPOSES
35-02647 IRRIGATION

FROM MONTH/DAY
TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.630 CFS
1.830 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO NR STANDARDS OR OTHER?

Y(X) N()

EXPLAIN IN REMARKS, BELOW.

REMARKS:

PERIOD OF USE IS 4/1 TO 10/31

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(Y) N()A. TOTAL CLAIMED DIVERSION RATE:
NR 2001 RIGHT TOTAL DIVERSION RATE:1.330 CFS
1.330 CFS*** IF NO OR IF STATUTORY CLAIM OR GENERAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
NB. MEASUREMENT METHOD NO FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.OTHER RIGHTS LISTED IN CLAIM: ABERDEEN SPRINGFIELD CANAL CO. CDD: EP2

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-02647A	GROUNDWATER	FARM CREDIT BANK OF SPOKANE	1.330	0.018		
A35-02647B	GROUNDWATER	PALMER, FERRELL	1.330	0.018		
A31-0206450	SNAKE RIVER	LING, ROGER D.			57133.00	1.61
A31-0027170	SNAKE RIVER	LING, ROGER D.	250.000	0.006		
A31-0002370	SNAKE RIVER	LING, ROGER D.	1250.000	0.035		
A35-0254370	GROUNDWATER	LING, ROGER D.	6.000			
A35-0424670	GROUNDWATER	ABERDEEN SPRINGFIELD CANAL CO.	2.440			
A31-0206860	SNAKE RIVER	LING, ROGER D.			129940.00	3.66
A31-0205840	SNAKE RIVER	LING, ROGER D.			22850.00	0.64

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE 2.00
ACRES 100 X 2.02 CFS/ACRE = 0.20 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 350.0 AF/A

ACRES 100 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 300 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 100 X DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 400 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

Good: E42, C45

RECOMMENDATIONS:

REC. PERIOD PURPOSES FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	DATABASE EXAMINER 1.830 1.83	DATABASE EXAMINER 400	DATABASE EXAMINER 350.0 300
TOTAL FOR THIS RIGHT	1.830		350.0

REVIEWED BY: *ES*

DATE: 7/26/93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED
AS CLAIMED
NEEDS
REVIEW

OWNERSHIP
FOREST/AGRICULTURE
ADDITIONAL DIV. AMOUNT

() () () ()

0. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-02647

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.830

CFS

SPLITS:

OLD RIGHT
NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

A35-02647	A35-02647	1.830	35-02647	1.830
A35-02647	A35-02647A	1.830	35-02647	1.830
A35-02647	A35-02647B	1.830	35-02647	1.830

TOTAL CFS

5.490

1.830

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

SEE Pg. 6 - RIGHT IS CLAIMED IN FULL

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

[Signature]

7/26/93

[Signature]

SQU

AK ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y			N	14, 16 2/2/93	8/22/93	8/12/93	8/24/93
SOURCE								
PLACE OF USE	Y			N	14, 15, 16 2/2/93			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/DRTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 WAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.



ES
E-INT
RVE

DESK TOP REVIEW MAP -
A3S-02647 TSS R31E
ERK SLENDER 5/6/93

A3S-02647
TSS
R31E

A35-02647

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 0-22466This proof is or proof of completion of Works & Beneficial Water District No. _____1. Name of applicant Fre W. Malsch2. Source of water supply Subterranean3. Location of point of diversion: Is in the SE 1/4 of Section 9T. 5 S. R. 31 E. S. 1/4 County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same.

25 H.P. H. J. Motor # 159972 Hydraulic Pump # 1900815
8" open Discharge W. to H. J. Ditch

5. Water is used for Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is or beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation.)

100 acres in SE 1/4 Sec. 9, Twp. 5 S., Rge. 31 E. S. 1/4

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Pygmy Current Meter Measurement Q = 1.83 cfs

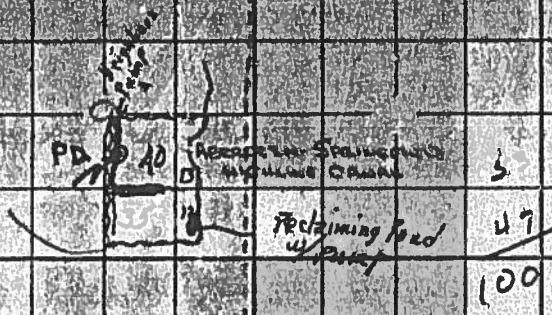
This examination was made on the 24 day of August, 1965(Signed) Don Mather

22466

A3S-02647

R 31 F

T
5
8



28
34
37
50

34 divisions - 1
Area = 100 A
Q = 183 SS

Q 183 SS
Area = 100 A

28