

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: A41-10137
Date Received: 4/04/1990
Receipt No: S011793
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN WEGNER 208-548-2349
Address: P.O. BOX 242
ROCKLAND, ID 83271

AND/OR

Name: ROBIN B. WEGNER 208-548-2349
Address: P.O. BOX 242
ROCKLAND, ID 83271

2. Date of Priority: MAR 01, 1913

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	4	NE	SW	SW		POWER

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	31E	4	SW SW		DOMEST	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

A41-00030B

14. Remarks:

ROCK CREEK WATER ALSO USED ON PROPERTY.

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): Stephen C. Heger Date: 4-4-90

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of Apr 19 90 Lois W. White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

AJ0749NP
No. R41-10137

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

DATE: 10/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DELANE ANDERSON	03/01/1913	DOMESTIC	01-01 12-31	0.040 CFS	
C	ANDERSON LAURA					
	PO BOX 127					
	AMERICAN FALLS ID 83211					
	(208) 226-5154					
					TOTAL DIVERSION:	0.040 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R31E S04

NMSWS

POWER County

Place of use Legal Description for: DOMESTIC

	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	: Lt Ac Lt Ac Lt Ac Lt Ac
10S 31E 4	:	:	:	:

POU County: POWER

Non-Irrigation Uses: 1 HOUSE

Other Rights: 41-000308

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.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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.

CHANGE OF OWNER

A41-10137

June 11, 1999

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 9, 1999

Water right number: 41-10137

STEPHEN WEGNER
ROBIN B WEGNER
PO BOX 242
ROCKLAND ID 83271

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):

I disagree with disallowal.

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

*Should be recommended with correct legal description
of NW SW SW Sec 4*

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

Despite well being buried well was being used.

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

DATE: 6-30-99

SIGNATURE: Stephen C. Wegner

Please print your name: _____

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

*8/9/99 sc: Discussion w/ D. Anderson - Reverse Re'ch
& allow D/s claim.*

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/11/99 13:57:47
Page 1

Water Right Number - R41-10137

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
WEGNER

STEPHEN

1 - PO BOX 242
2 -
3 -

State- ID Zip- 83271

WEGNER

ROBIN B

City- ROCKLAND
Phone - 208-548-2349
1 - PO BOX 242
2 -
3 -
City- ROCKLAND
Phone - 208-548-2349

State- ID Zip- 83271

--- Priority Date --- +
03/01/1913

--- Region --- +
17 SOUTHERN

--- Stage --- +
5

--- Status --- +
1 - DISALLOWED

--- Source --- +
GROUNDWATER

--- Tributary --- +

--- Point of Diversion --- +
N11

Twn Rng Sec Tract Lot Rflg County
10S 31E 4 NE SW SW (77) POWER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Consumptive Use --- + --- KW Usage --- +
0.040 0.0

--- Place of Use --- + --- Description --- + --- County --- +
Twn Rng Sec Tract Lot Acres Code Description County
10S 31E 4 SW SW 43 DOMESTIC (77) POWER

Total Acres:

--- Diversion Means - WELL, PUMP

--- Non-Irrigation Use - ~~PO~~ HOUSE

--- Other Rights for Same Use - A41-000308

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

--- Old Water Right Numbers Found --- +
No Old Water Right Numbers Found

N11
N13

OK

Water right number - R41-10137

Prefix Translation: RESEARCH

+ - - - - - P03 - - - - - NO BENEFICIAL USE FOUND: This is included for a claim based
- on beneficial use that is PROPOSED to be disallowed because
- beneficial use of water was not confirmed by IDWR's field
- examination or by other evidence submitted by the claimant.

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

+ - - - - - Date: 06/11/1999 User Id: VHANCOCK Subject: COPIED FROM REMARKS - Comments - - - - - +
ROCK CREEK WATER ALSO USED ON PROPERTY.
Date: 06/11/1999 User Id: VHANCOCK Subject: DISALLOWED
WELL NOT FOUND.

+ - - - - - Audit Fields - - - - - +
06/11/99 VHANCOCK

+ - - - - - 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 Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - P
Claim Received Date - 04/04/1990 Last Amended Date - S011793 Temporary Right -
Receipt Number - Y Water District -
POU Ownership Flag - AND/OR Federal/State Indicator - S
Name Connector - Notice of Error Flag -

Water Right Number - A41-10137

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
WEGNER

STEPHEN

1 - P.O. BOX 242
2 -
3 -

State- ID Zip- 83271

WEGNER

ROBIN B.

City- ROCKLAND
Phone - 208-548-2349
1 - P.O. BOX 242
2 -
3 -
City- ROCKLAND
Phone - 208-548-2349

State- ID Zip- 83271

--- Priority Date --- + --- Region --- + --- Stage --- + --- Status --- +
03/01/1913 17 SOUTHERN J - BENEFICIAL USE

Source --- +
GROUNDWATER

Tributary --- +

--- TwN Rng Sec Tract Lot Rflg County --- Point of Diversion --- Stream Index (Blank if no Index Code) ---

10S 31E 4 NE SW SW (77) POWER

--- Code --- Description --- Period From Period To --- Water Use --- Diversion Rate --- Diversion Volume ---
43 - DOMESTIC 01/01 12/31 0.040

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Div. Capacity --- + --- Total Consumptive Use --- + --- KW Usage --- +
0.040

--- TwN Rng Sec Tract Lot Acres Code --- Place of Use --- Description --- County ---
10S 31E 4 SW SW 43 DOMESTIC (77) POWER

--- Diversion Means - WELL, PUMP ---
--- Non-Irrigation Use - D/1 (HOUSE) ---
--- Other Rights for Same Use - A41-000308 ---

--- Remarks ---
ROCK CREEK WATER ALSO USED ON PROPERTY.
No Old Water Right Numbers found.

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

See note on file

+ - Decree Date - +
00/00/0000

-----Comments-----
No Comments Found

+ 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	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	04/04/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	S011793	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-	AND/OR		-	

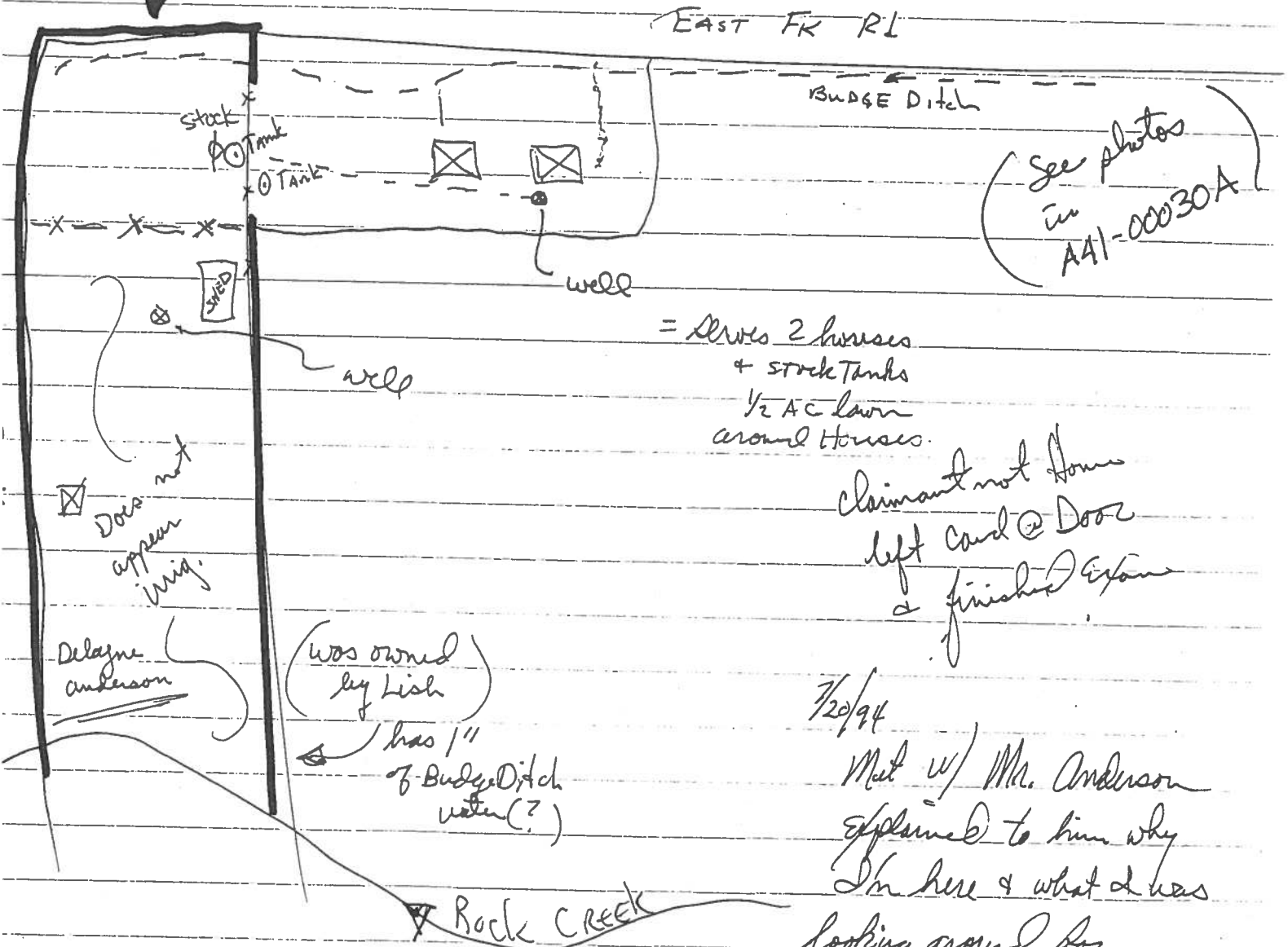


B. Anderson

POU

A41-10087

7-20-94
Sec



7/20/94

Met w/ Mr. Anderson
Explained to him why
I'm here & what I was
looking around for.
He was concerned about
who I was & what I was doing.

Mr. Anderson explained the
piece above is owned by his Son
DELAUNE ANDERSON. He bought
the piece & has just found the well
which had been buried.

Says the place also has 1" water
from Budge Ditch.

- Said he does not irrigate the
corner piece from the well house
he was aggravated by LDWR staff
in Twin Falls. He was told he
could not do it.



PHOTO:
 R41-12
 by Sec
 7-20-94

DELAYNE ANDERSON
 (NO CLAIM FILED)
 41-000 30B



PROPERTY OWNER: DELAYNE
ANDERSON

PHOTO:
R41-13
by SCC
7-20-94



RECLAIMED WELL / FOUND
(NOT BEEN IN USE 6+ YEARS)

41-000 30 B

CLAIM NO. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☐ No Change NAME:
☐ NEW OWNER: _____
☐ No Change ADDRESS: _____
☐ NEW ADDRESS: _____
☐ DATA ENTRY STANDARDS CHECKED?
2. ☐ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☐ No Change - SOURCE:
☐ CHANGE - Different Source found: _____.
4. ☐ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☐ No Change - WATER USES:
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☐ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☐ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____
☐ DATA ENTRY STANDARDS (correct to..)

10. ☐ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

11. ☐ Checked: N/A

12. ☐ Checked: N/A

13. ☐ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☐ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☐ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

"DISALLOW"

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS
MAP
SYSTEM DIAGRAM



DATE EXAM CONDUCTED:

7/20/94

FIELD EXAMINER:

STEVE CLELLAND

Signature

REVIEWED BY/DATE: _____

DATA ENTRY BY/DATE: _____

VERIFICATION BY/DATE: _____

DISALLOW
P#3
Not found!
Wrong legal!
ownership?
"Well was buried"