

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: A41-00030B
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: OCT 01, 1883

3. Source: ROCK CREEK, EAST FORK Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	9	NE	NE			POWER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	4	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

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:
A41-10137

14. Remarks:
1" PORTION OF 41-00030 DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/06/1903

HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

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 G. Heyner Date: 4-4-90
_____ Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Apr 19 90 Don White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94



A41-000.30 B

by deed a large portion of said tract together with the water right thereto; that the said Lewis Lance and his grantees under the terms of said conveyances are entitled to the use of 100 inches at all times of the waters of the east fork, for irrigating the above described tract, the same to be taken from the ditch above mentioned, said right to date from Aug., 1st., 1879.

That D. C. Tyler, Jr., in the year 1882 settled upon and made entry to the following described tract: Lots 2, 3, 4, and E. $\frac{1}{2}$ S. W. $\frac{1}{4}$ Sec., 31 Tp. 9 S. R. 31 E., containing 147.86 acres and has in June 1883 by means of enlarging what is known as the Wood's north ditch diverted and appropriated water from the east fork of Rock Creek and has continued each and every season to so use said water until he now has in cultivation on said land about 40 acres; that the said D. C. Tyler is entitled to the flow at all times of 40 inches of the waters of said east fork of Rock Creek to irrigate said land, the same to be taken through the H. C. Wood north ditch, his right to date from the 15th., day of June 1883.

That in the spring of 1884 Lyman S. Barnard made settlement upon the following described land: contained in the D. A. Budge claim to wit: commencing 68 rods from the S. E. corner, running 92 rods west, 80 rods north, 92 rods south, and 80 rods east to place of beginning Sec., 4 Tp., 10 S. E. 31 E. 46 acres; said land and water right were purchased from J. Cook and George Young by D. A. Budge; that in the fall of 1883 a ditch was constructed by said grantors from the east fork of said Rock Creek to and upon said land for the purpose of irrigating same and has been used thereon continually by said L. S. Barnard and his grantors ever since.

That the said Lyman S. Barnard is entitled to the use of 40 inches of the water flowing in the said east fork of Rock Creek for the purpose of irrigating said land to be taken through the ditches constructed to and upon said land, his right to date from Oct., 1st., 1883.

That the said D. A. Budge still owns and claims 80 acres in the said tract of land described as follows: S. $\frac{1}{2}$ S. W. $\frac{1}{4}$ S. $\frac{1}{2}$ S. E. $\frac{1}{4}$ Sec., 4 Tp., 10., S. R. 31, E. and has sold to the Promontory Stock Ranch company 34 acres of said tract and now has in cultivation on the tract still owned by him about 35 acres of land. We find that the said D.

A. Budge is entitled at all times of water to be taken from the east fork of Rock Creek to and upon said land from the east fork of Rock Creek to and upon said land, his right to date from the 1st., day of June 1882.

And that the Promontory Stock Ranch Company is entitled to the use of 25 inches of water of Rock Creek at all times of water to be taken from the east fork of Rock Creek to and upon said land from the east fork of Rock Creek to and upon said land, his right to date from the 1st., day of June 1882.

That Joseph Henry made entry to the following described tract: Lots 2, 3, 4, and E. $\frac{1}{2}$ S. W. $\frac{1}{4}$ Sec., 31 Tp. 9 S. R. 31 E., containing 147.86 acres and has in June 1883 by means of enlarging what is known as the Wood's north ditch diverted and appropriated water from the east fork of Rock Creek and has continued each and every season to so use said water until he now has in cultivation on said land about 40 acres; that the said Joseph Henry is entitled to the flow at all times of 40 inches of the waters of said east fork of Rock Creek to irrigate said land, the same to be taken through the H. C. Wood north ditch, his right to date from the 15th., day of June 1883.

That Joseph Henry made entry to the following described tract: Lots 2, 3, 4, and E. $\frac{1}{2}$ S. W. $\frac{1}{4}$ Sec., 31 Tp. 9 S. R. 31 E., containing 147.86 acres and has in June 1883 by means of enlarging what is known as the Wood's north ditch diverted and appropriated water from the east fork of Rock Creek and has continued each and every season to so use said water until he now has in cultivation on said land about 40 acres; that the said Joseph Henry is entitled to the flow at all times of 40 inches of the waters of said east fork of Rock Creek to irrigate said land, the same to be taken through the H. C. Wood north ditch, his right to date from the 15th., day of June 1883.

MICROFILMED

MAR 04 1993

A. Budge is entitled at all times to the use of 35 inches of water to be taken from the ditches constructed to and upon said land from the east fork of Rock Creek and said right to date from the 1st., day of Oct., 1883.

And that the Promontory Stock Ranch company is entitled to the use of 25 inches of the water of said east fork of Rock Creek at all times for the irrigation of said 34 acres purchased from the said D. A. Budge to be taken through the ditches constructed to and upon said land to date from the 1st., day of Oct., 1883. That the said Pomontory Stock Ranch Company are also entitled to 10 inches of water from the east fork of Rock Creek to be taken through the Barnard and Valdez ditch by virtue of purchase of land and water right thereto to 40 acres of land in the Wm. Barnhart D. L. E. to N. E. $\frac{1}{4}$ N. E. $\frac{1}{4}$ Sec., 9 Tp., 10 S. R. 31, E; only 10 acres of said land lying under said ditch; said right to date from the 1st., day of June 1885.

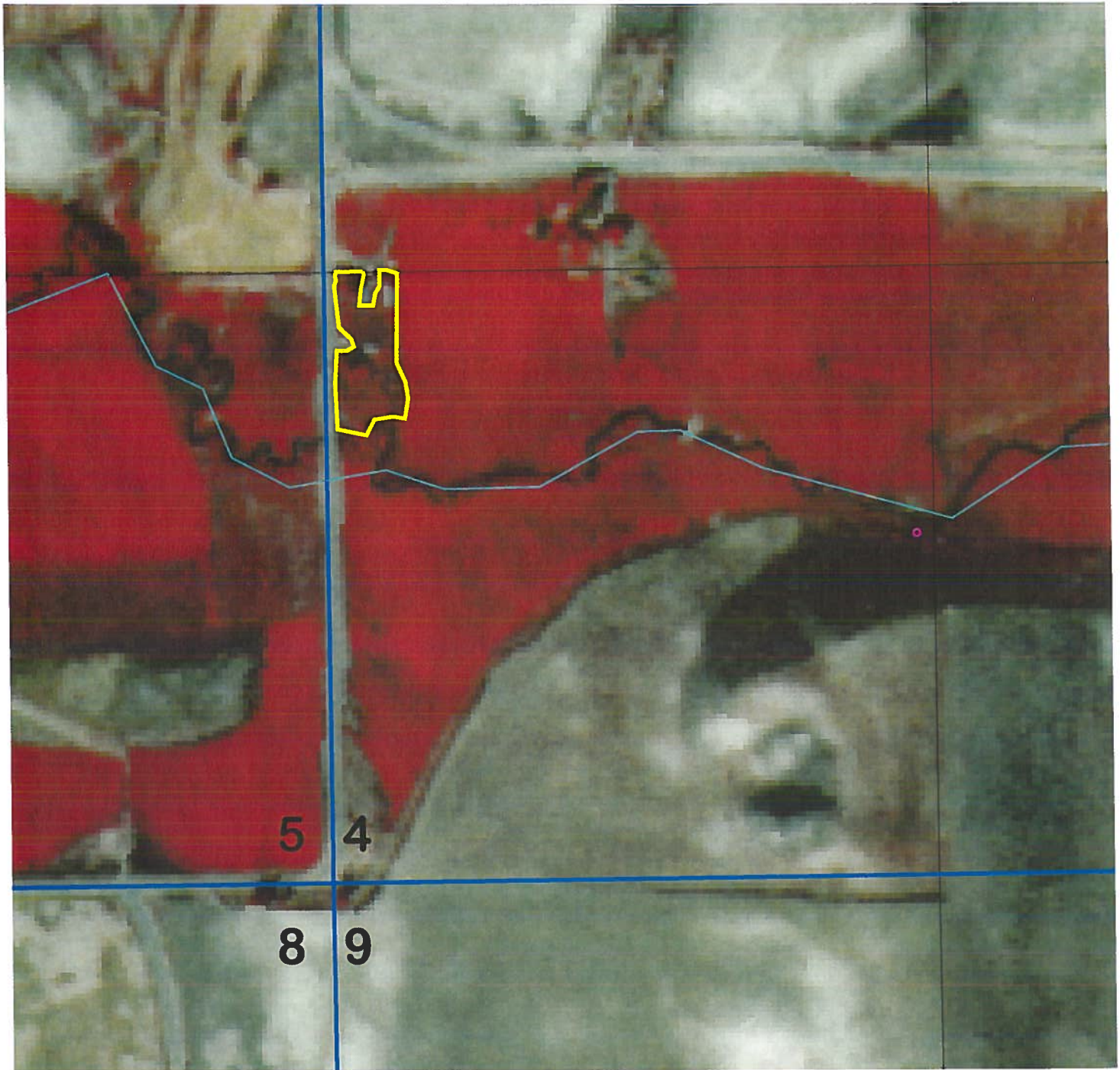
That Joseph Henry made homestead entry in the year 1882 and now has patent dated Mar., 12th., 1889 to and upon the following described tract: N. $\frac{1}{4}$ N. E. $\frac{1}{4}$ Sec. 7 N. W. $\frac{1}{4}$ N. W. $\frac{1}{4}$ Sec. 8, S. E. $\frac{1}{4}$ S. E. $\frac{1}{4}$ Sec. 6 Tp., 10 S. R. 31 E., containing 160 acres; that in the spring of 1882 by means of enlarging the Houtz and Wood ditch on the south side of east fork did divert and appropriate water to and upon said land and has continued to use said water upon said land until there are now 31 acres of grain in cultivation under said south ditch, and in 1886 by means of enlarging the Wood & Tyler ditch on the north side of the east fork of said Rock Creek did divert and appropriate water from said creek to and upon said land and now has in cultivation under said ditch 25 acres that since said time he has sold to G. A. Perry by deed of Sept., 18th., 1888 a portion of said land containing 86 acres; that said Joseph Henry and the said G. A. Perry his grantee are entitled to the use at all times of 60 inches of the waters of said east fork to be conveyed through the Houtz & Wood ditch, said right to date from the 1st., day of June 1882; and the said Joseph Henry is entitled to the use of 25 inches of water at all times for the irrigation of his land lying on the north side of said fork, the same to be conveyed through the Wood & Tyler ditch and to date from the 1st., day of June 1886.

MICROFILMED

MAR 04 1993

IDAHO DEPT OF WATER RESOURCES

41-00030B



660 0 660 Feet

T10S, R31E, SEC. 4, SWSW



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
*** REVISED ***
DATA ENTRY BY: STEVE CLELLAND
DATE: August 9, 1999

DATE: 10/04/99
PAGE: 1

AMERICAN FALLS ID 83211
(208) 226-5154

Stage: DECREED

POWER County

NE

10S 31E 4 :

Other Rights: A41-10137

Verified Date:

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

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

RECEIVED

AUG 30 1999

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): _____

Adjudication Claim No(s): A41-00030B, A41-101372. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.3. Name and Address of Former
Owner/ClaimantSTEVE WEGNERROCKLAND ID 83271

4. New Owner/Claimant(s)

DELANE OR LAURA ANDERSON

New Mailing Address

P.O. BOX 127

City, State and ZIP Code

AMERICAN FALLS ID 83211

New Telephone Number

(208) 226-5348 - 208-226-5154

5. Date you acquired the property

05 NOV 91

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s)
or Claimant(s)DeLane AndersonLaura Anderson

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

WARRANTY DEED

For Value Received STEPHEN E. WEGNER and ROBIN B. WEGNER, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto DELANE ANDERSON and
LAURA ANDERSON, husband and wife,

whose current address is Box 127, American Falls, Idaho 83211

the grantees , the following described premises, in.....Power.....County Idaho, to wit:

Commencing at a point 1 rod East and 54 rods 12½ feet
North, of the SW corner of Section 4, Township 10 S,
Range 31 E.B.M.
Thence running East 8 rods;
Thence North to the North line of the SW¼SW¼, Section 4;
Thence West 8 rods;
Thence South to the place of beginning
Containing 1½ acres, more or less.
Also known as Tax #106, Power County, Idaho

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 , that t hey are the owners in fee simple of said premises; that they are free
from all incumbrances except any and all easements, restrictions or documents of record

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

Dated: November 5, 1991

Stephen E. Wegner

Robin B. Wegner

STATE OF IDAHO, COUNTY OF POWER
On this 5 day of November , 1991 ,
before me, a notary public in and for said State, personally
appeared STEPHEN E. WEGNER and ROBIN B.
WEGNER

NOTARY
PUBLIC

156056

Instrument #
Dwr # 8 Time 11:16 AM
Req. of Kyle Elissen

NOV 6 1991

[illegible]

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

DATE: 08/09/99
PAGE: 1

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S10

SUMMARY

POWER County

Place of use Legal Description for: IRRIGATION

NE.

MEM

MS

SE

[illegible]

Other Rights: A41-10137

Dates: **Exam Made Date:**

Verified Date: 08/09/1999

Objection Filed Date:

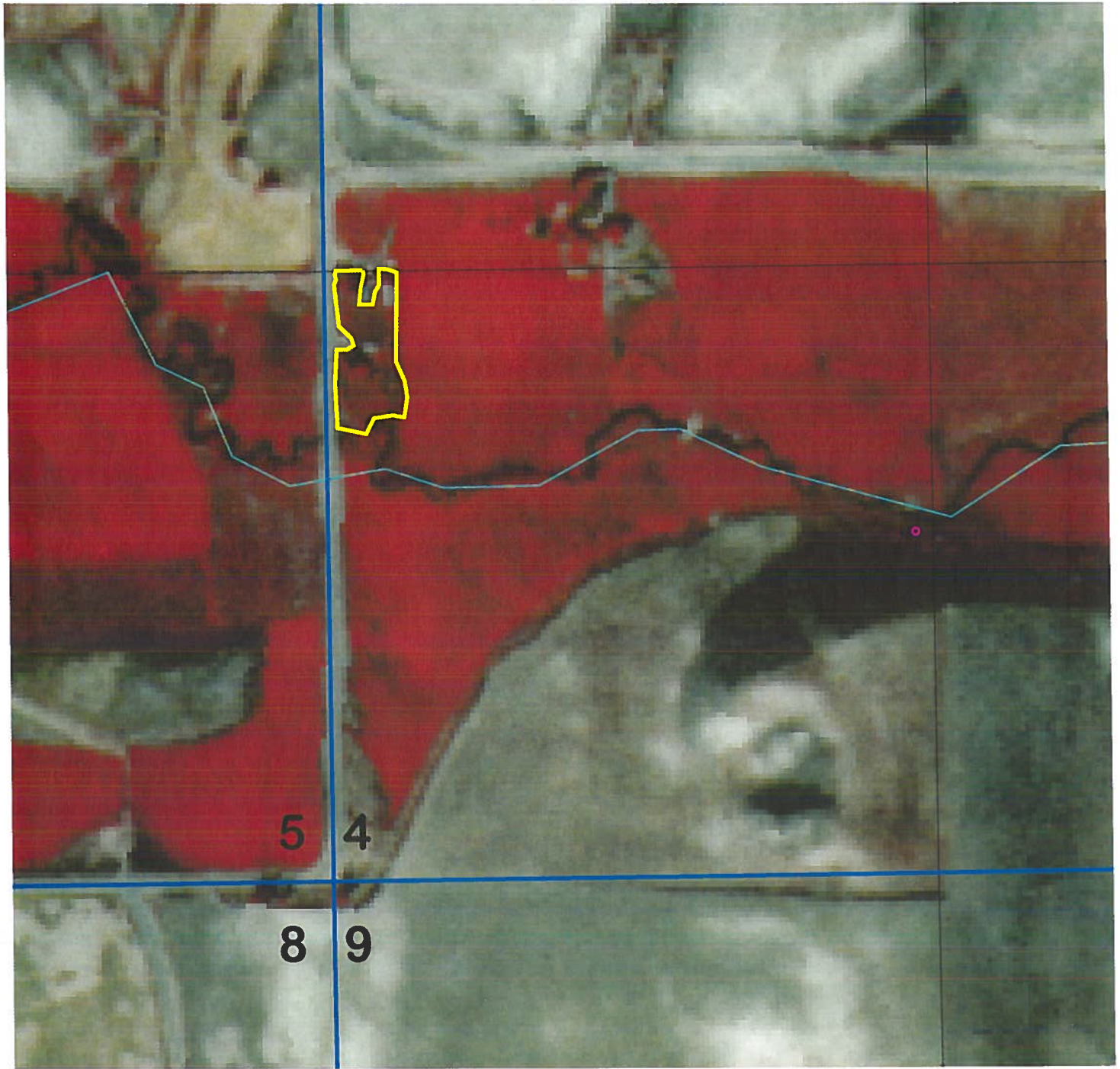
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

A41-00030B

IDAHO DEPT OF WATER RESOURCES

41-00030B



660 0 660 Feet

T10S, R31E, SEC. 4, SWSW



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
*** REVISED ***
DATA ENTRY BY: STEVE CLELLAND
DATE: August 9, 1999

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: 41-00030B

STEPHEN WEGNER
ROBIN B WEGNER
PO BOX 242
ROCKLAND ID 83271

Daytime Telephone Number:

Evening Telephone Number:

*(See Attached)
GIS*

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

No longer own land. Place of use drawn & recommended incorrectly. North Field never owned by me.

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

1 ac should all be in SWSW 34

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

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

DATE: *6-30-99*

SIGNATURE: *Stephen E. Wegner*

Please print your name:

Stephen E Wegner

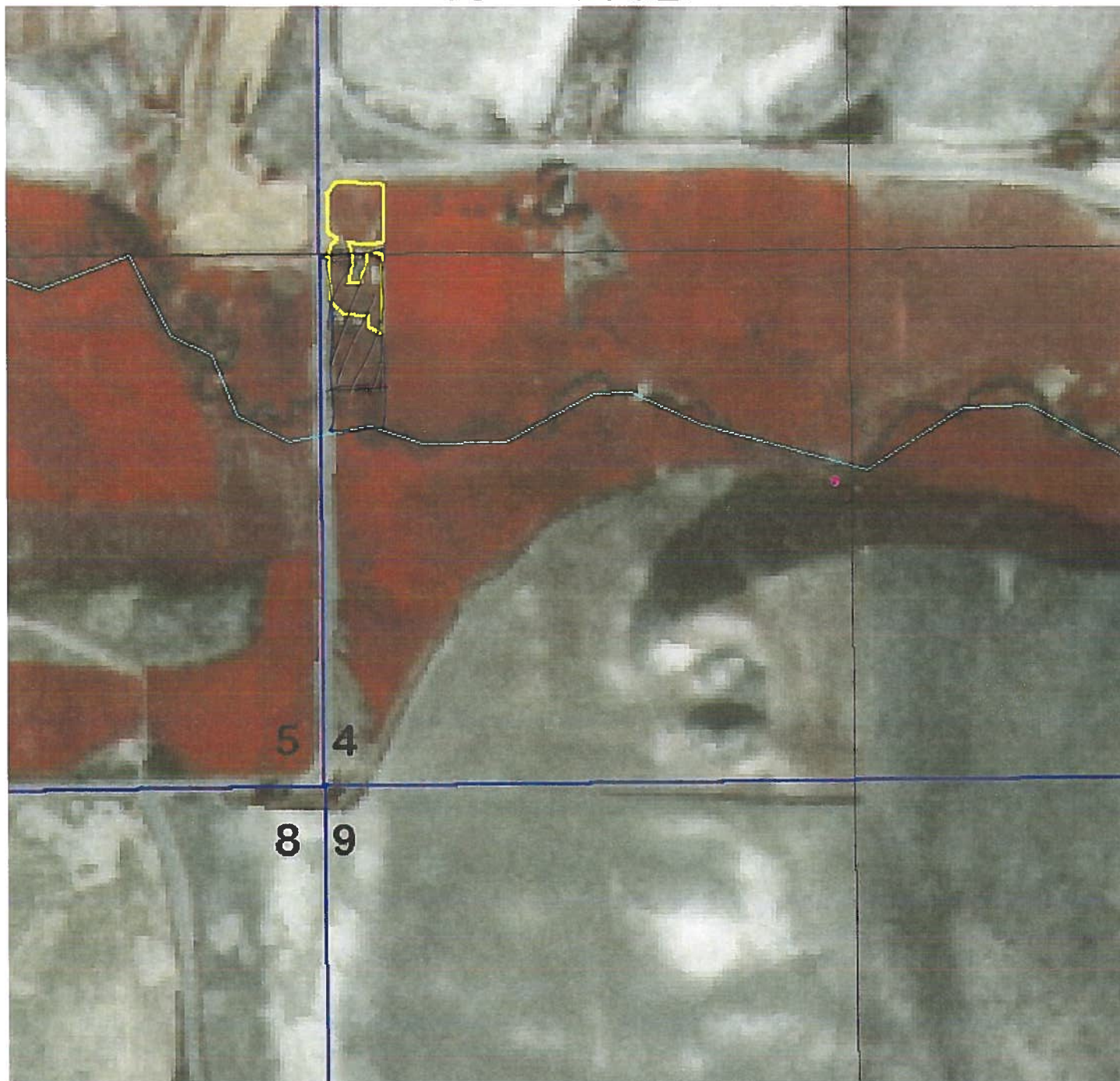
IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

NEW OWNER: *Delane Anderson - 226-5154*

8/9/99 sec: Revised GIS shapes to better show ownership.

IDAHO DEPT OF WATER RESOURCES

41-00030B



660 0 660 Feet



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

*NOE sketch per
Mr. Wegner -
Revised GIS shape
8/9/99 SCC*

T10S, R31E, SEC. 4, SWSW, NWSW

GIS PLACE OF USE PRESENTATION
1987 & OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: June 16, 1999

AJ0749NP
No. R41-000308

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

DATE: 06/16/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEPHEN WEGNER C ROBIN B WEGNER PO BOX 242 ROCKLAND ID 83271 (208) 548-2349	10/01/1883	IRRIGATION	04-01 10-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion: T10S R31E S10

SWNENW

POWER County

Place of use legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	: NENE	: MNNE	: SENE	: NENE	: MNNE
10S 31E 4 :	: 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	: Lt Ac Lt Ac Lt Ac Lt Ac
	: .5	: .5	: .5	: .5	: 1.0
TOTAL ACRES					1.0

POU County: POWER

Other Rights: A41-10137

Dates: Exam Made Date:

Verified Date:

06/16/1999

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Revised to
SWSW 1.0
due to owner correction
& GIS Revision.
see
8/9/99

LAIM NUMBER
A41-00030B

DATE
6/16/99

TRANSFER NUMBER

AGENT
scc

CLAIMED ACRE TOTAL
1.0

GIS ACRE TOTAL

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
LAIM	10s	31E	4																
GIS																			
ECOM																			
LAIM																			
GIS																			
ECOM																			
LAIM																			
GIS																			
ECOM																			

341-POU.SHP

SHAPE NOS.
131

(preliminary sent before GIS)
NEED to correct POU
Q-Q !

341-POD.SHP

TOS. DESCRIPTION
5 BUDGE DITCH:
T10S, R31E, S10, SWNENW

DBF TABLES UPDATED

41-DBPOU.DBF
3/10/00 scc

41-DBPOD.DBF

PEG LAYOUT
41-00030B.jpg Revised Shape: 8/9/99 scc

AJ0749NP
No. R41-000308

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

DATE: 06/11/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEPHEN WEGNER C ROBIN B WEGNER PO BOX 242 ROCKLAND ID 83271 (208) 548-2349	10/01/1983	IRRIGATION	03-15 11-15	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S09 T10 (NENE)

POWER County

Place of use Legal Description for: IRRIGATION

NE	ENE	NENE	SENE	SE	ENE	SENE	SE	ENE	SENE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
10S	31E	4	:	:	:	:	:	:	:	:
TOTAL ACRES										1.0

POU County: POWER

Other Rights: A41-10137

Remarks: GEN 1" PORTION OF 41-00030 DECREE.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Power County Assessor

No Stephen Wegner
in Section 4

10S 31E

Reformatted
cant verify
ownership

CH

per note
in file
CH

B. Anderson

A41-10087

7-20-94
Sec

POU

EAST FK RL

BUDGE Ditch

(See photos
in
A41-00030A)

well

= serves 2 houses
+ stock tanks
1/2 AC down
around houses

claimant not Home
left card @ Door
& finished again

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.

Mrs. Anderson explained the
piece above is owned by his Son
DELAYNE 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.

ROAD

Does not
appear
irrig.

Delayne
Anderson

(was owned
by Lish)

has 1"
of Budge Ditch
water(?)

Rock Creek

41-000308



A41-00030 A
ANDERSON

PHOTO
R41-12
by SCC
7-20-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~KEITH HIGGINSON~~

Governor PHILIP E. BATT

R. KEITH HIGGINSON

Director

February 10, 1995

Dear Wateruser:

In response to the Bench Ditch Irrigation Company's letter to IDWR dated January 25, 1995, this letter is being sent to all waterusers of record in the Basin 41 Water District.

As you may know, the arbitration for delivery of water that has operated in the Rockland valley for over 100 years has been very effective in allowing the delivery of water rights by the local watermaster. The box method described in the arbitration has worked to divide the waters fairly, but recent studies of the boxes have determined the actual flow rates that have been delivered for years are different than the rates listed in the arbitration. This is largely due to the fact that the box method, as applied in the valley, is not a standard measuring device.

It is IDWR's position that:

Rights recommended in the ongoing Snake River Basin Adjudication, will be based on the historical beneficial use and historical diversion rate represented by use of the box method.

Conversion to an approved, standard measuring device is encouraged but should not result in a increase in the amount of water diverted. IDWR requests, before any old diversion structure is removed or destroyed, to view and measure the historical diversion rate as delivered by the box described in the arbitration.

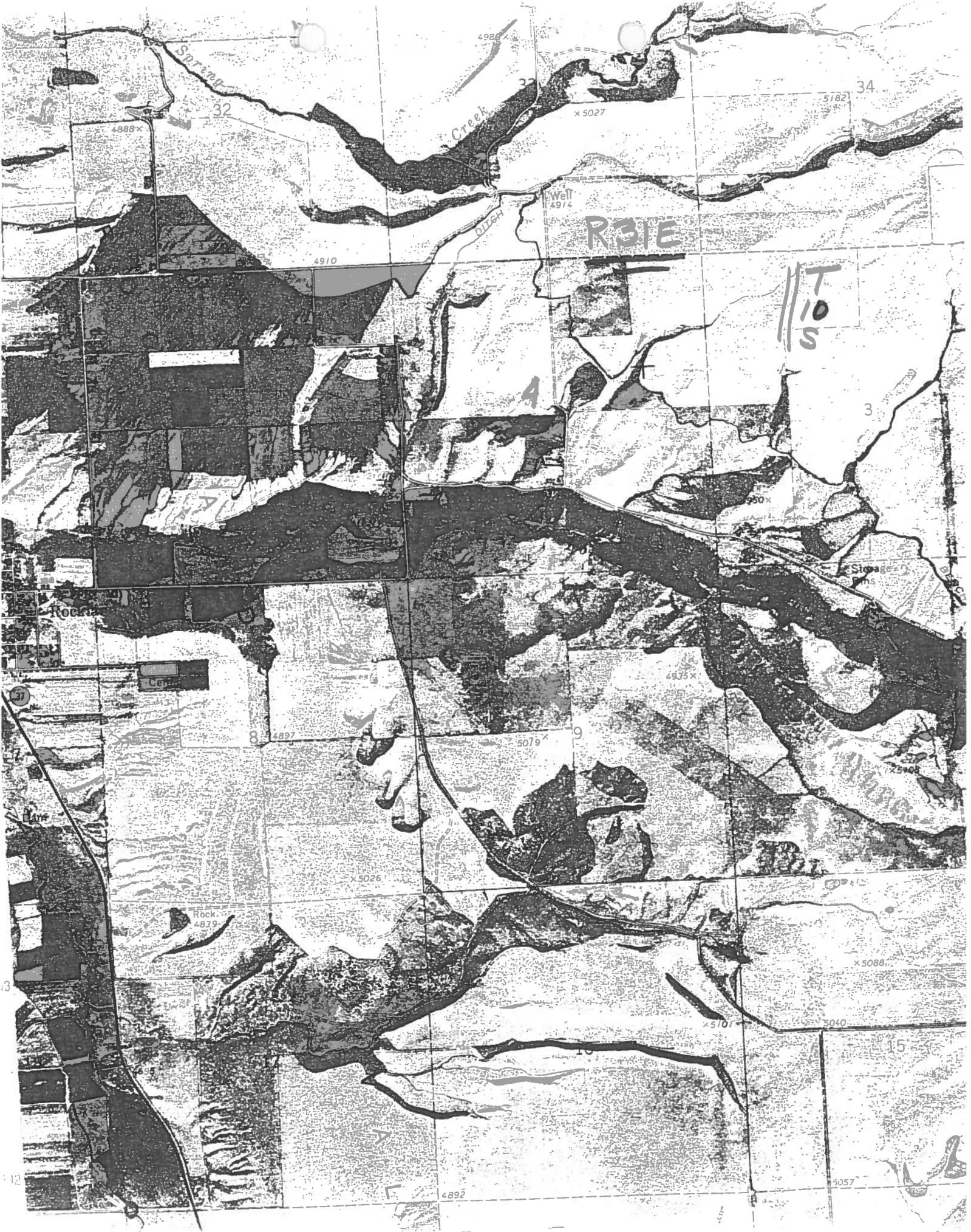
Any change in measuring devices or structures that results in an increase of diversion rates above the historical beneficial use will result in injury to junior right holders within the Rock Creek system.

We look forward to working with all waterusers in the district. SRBA examinations will resume in the spring of 1995 and IDWR will measure and evaluate all of the structures diverting from Rock Creek and the East Fork of Rock Creek. If you have questions please contact me at my office in Twin Falls.

Sincerely,

STEVE CLELLAND
Water Resource Agent

A41-00030B



MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDWR ID NO. _____	Y() N()
☐ NAPP	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAIN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

CLAIM NUMBER: A41-00030B

Stage: DECREED

POWER County

ME

POU County: POWER

Other Rights: A41-10137

Remarks: 1" PORTION OF 41-00030 DECREE.

Dates: **Exam Made Date:** **Verified Date:**

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A41-000308

09:30:02
08/22/94

LAST: WEGNER
ADDRESS: P.O. BOX 242
CITY: ROCKLAND
PHONE NUMBER: 208-548-2349
OWNER CODE: C

FIRST: STEPHEN
STATE: ID ZIP: 83271
STATE: ID ZIP: 83271

LAST: WEGNER
ADDRESS: P.O. BOX 242
CITY: ROCKLAND
PHONE NUMBER: 208-548-2349
OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: 1st PORTION OF 41-00030 DECREE.

DATE: 10/10/94
FIELD EXAMINER
Y() N()

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __: __ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AU CLAIM: # A41-000308 PRIORITY DATE: 10-01-1883 STAGE: D

B. WR RECORD: # 41-00030 PRIORITY DATE: 10-01-1883 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

10-01-1883

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A41-000308	10S	31E	9					NE	NE	POWER	

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

41-00031

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
41-00030	10S	31E	9					NE	NE	POWER	

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

41-00031

NONE NONE

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED? Y() N()

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (_____)

TP.	RGE.	SEC.	1/4	1/4	LOT	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10S	31E	9	NE	NE				POWER		

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A41-00030A
A41-00030B

B. POU LISTING				AJ		WR		LANDSAT		FIELD		RECOMM.	
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES		
10S	31E	4	SW	SW		WEGNER, STEPHEN	A41-00030B / 1.0	-	/		28.0		
			SW	SW		ANDERSON, BURTON	A41-00030A / 19.0	-	/				
			SW	SW		NELSON, MELVIN	A41-00026 / 5.0	-	/				
			SW	SW		NELSON, MELVIN	A41-00048 / 5.0	-	/				
			SW	SW		NELSON, MELVIN	A41-10091 / 15.0	-	/				
			SW	SW		WEGNER, STEPHEN	A41-10137 /	-	/				
			SW	SW		STATE OF IDAHO	A41-07046 /	41-07046	/				
			SW	SW		BUDGE, D. A.		41-00030	/				
			SW	SW		LISH, H. D.		41-00038	/				
			SW	SW		ANDERSON, BURTON		41-07061	/				

ADDITIONAL POU FOUND

TOTAL ACRES	A41-00030B	1.00	28.00
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POU COUNTY: POWER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A41-00030B	ROCK CREEK, EAST FORK	WEGNER, STEPHEN	0.020	0.020		
A41-00026	ROCK CREEK, EAST FORK	NELSON, MELVIN	0.200	0.009		
A41-00030A	ROCK CREEK, EAST FORK	ANDERSON, BURTON	0.520	0.021		
A41-00048	ROCK CREEK, EAST FORK	NELSON, MELVIN	0.200	0.009		
A41-10091	ROCK CREEK, EAST FORK	NELSON, MELVIN	1.260	0.018		

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A41-10137	DOMESTIC	MEGNER, STEPHEN	FROM 01-01 TO 12-31	.040 CFS	
A41-07046	MINIMUM INSTREAM FLOW	STATE OF IDAHO	FROM 01-01 TO 12-31	11,000 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A41-10137

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

NOTES:

TOTAL ACRES: _____ N/A(_____) _____
REVIEWED BY: _____ DATE: _____

[illegible]

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A41-000308 IRRIGATION	FROM 03-15 TO 11-15	.020 CFS	
TOTAL DIVERSION RATE/VOLUME		.020 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
41-00030 IRRIGATION	FROM TO	.700 CFS	
TOTAL DIVERSION RATE/VOLUME		.700 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.700 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WAR RECORD CONDITIONS/REMARKS:

AC. IRRIG. = 35.
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	03-15	11-15	DATABASE EXAMINER 0.020	DATABASE EXAMINER	DATABASE EXAMINER 3.0
TOTAL FOR THIS RIGHT			0.020		3.0

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____

DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	OWNERSHIP FORFEIT/ABANDON	ACCEPTED AS CLAIMED	NEEDS REVIEW
ADDITIONAL DIV. AMOUNT	_____	()	()
	_____	()	()
	_____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-00030 DATABASE EXAMINER CFS

TOTAL DIVERSION RATE OF WR SPLITS 0.700

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A41-00030	A41-00030A	0.520	-		41-00030	0.700
-	A41-00030B	0.020	-		-	
TOTAL CFS						0.540

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD
EXAMINER
Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

Water Right Number - 41-000308 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - -
*** C - CURRENT OWNER ***
BUDGE
D. A.
1 -
2 -
3 -
City -
Phone -
State - Zip -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/01/1883 17 D - DECURED

+ - - Source - - - - - + + - - Tributary - - - - - +
ROCK CREEK, EAST FORK

+ - - - - - + - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
10S 31E 9 NE NE (77) POWER

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 0.700

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.700 1" .02 cfs

+ - - Twn Rng Sec Tract Lot Acres Place of Use Code Description County
10S 31E 4 SW SW SE SW 01 IRRIGATION (77) POWER
SE SW (77) POWER

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

AC. IRRIG. = 35.
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.

Conditions of Approval -
No Conditions of Approval found.

ROFILMEI
MAR 04 1990

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

Water right number - 41-00030 Adj. flag translation: Standard Water Right Number

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - +
HOURZ ET AL.

+ - - - - Audit Fields -

| Water Rights Dates and Flags Area | | | | Field Exam Fee | | | |
|-----------------------------------|--------------|-----------------|--------------|------------------|------|--|--|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - | | |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - | | |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P | | |
| Start Work Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - | | |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 41 | | |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - | | |
| Decree Date | - 06/06/1903 | | | | | | |

MICROFILMED
MAR 04 1993