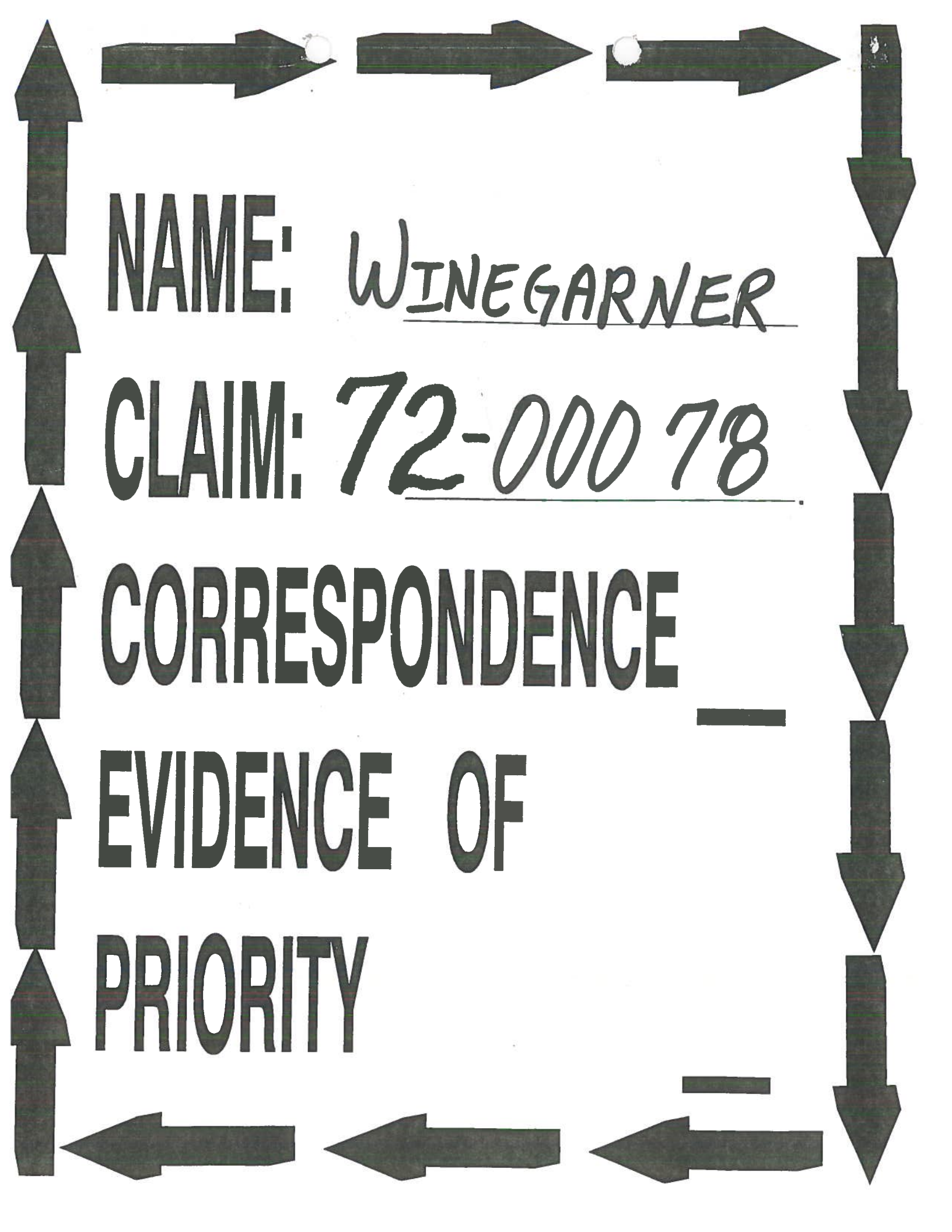




NAME: WINEGARNER

CLAIM: 72-000 78

CORRESPONDENCE

EVIDENCE OF

PRIORITY

5th
work

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: A72-00078
Date Received: 5/20/1991
Receipt No: S013364
Received By: NDB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON WINEGARNER 208-879-4703
Address: P.O. BOX 1032
CHALLIS, ID 83226

2. Date of Priority: MAY 15, 1881

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	32	NE	NE	NE		CUSTER

5. Description of diverting works:
ELECTRIC PUMP IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	04/15	10/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME, LAWN & GARDEN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	32	NE	NE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET AL

Decree Plaintiff

VANDERVOORT, ET AL

vs 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): _____ 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

Identification No. A72-00078

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

MAY 20 1991

Department of _____
Southern _____

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jon Winegarner Phone (208) 879-4703

Mailing Address P.O. Box 1032 Challis, Idaho Zip 83226

2. Date of Priority (Only one per claim) MAY 15, 1881 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Garden Creek
which is tributary to (b) Salmon River Name or kind of source

4. Location of point of diversion is: Township 14N Range 19E

Section 32, NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of CUSTER

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. Small electric pump used to irrigate garden & lawn on an intermittent basis

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

For Domestic purposes from April 15 ^{Month/Day} to Oct. 15 ^{Month/Day} amount 0.10 ^(cfs)

For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)

7. Total quantity claimed 0.10 (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) NONE

MICROFILMED

MAR 19 1993

10. Place of use is: Township: 14 N Range 19 E

Section 32, NE 1/4 of NE 1/4, Govt. Lot _____, B.M. _____

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any NINE

RECEIVED

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

MAY 20 1991

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.
(X) None or _____

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 72-0078

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jon Winegarner Date MAY 17, 1991

Date _____

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

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

County of Custer) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 17th day of May 19 91

SEAL

Notary Public Susan Sundell

Residing at Challis, Idaho

My Commission Expires 7-15-92

Last Name Winegarner Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 19 1993

CLAIM NO A72-00078

DATE _____

CITY OF CHALLIS DESCRIPTION:

DECREED TO BLOCK 5 LOT(S) 1 3 CFS RATE 0.10BLOCK 16 LOT(S) 2 4 PRIORITY DATEBLOCK _____ LOT(S) _____ MAY 15, 1881CLAIMED ON BLOCK 5 LOT(S) 1 3 CFS RATE 0.10BLOCK 16 LOT(S) 2 4

FOUND ON BLOCK _____ LOT(S) _____ CFS RATE _____

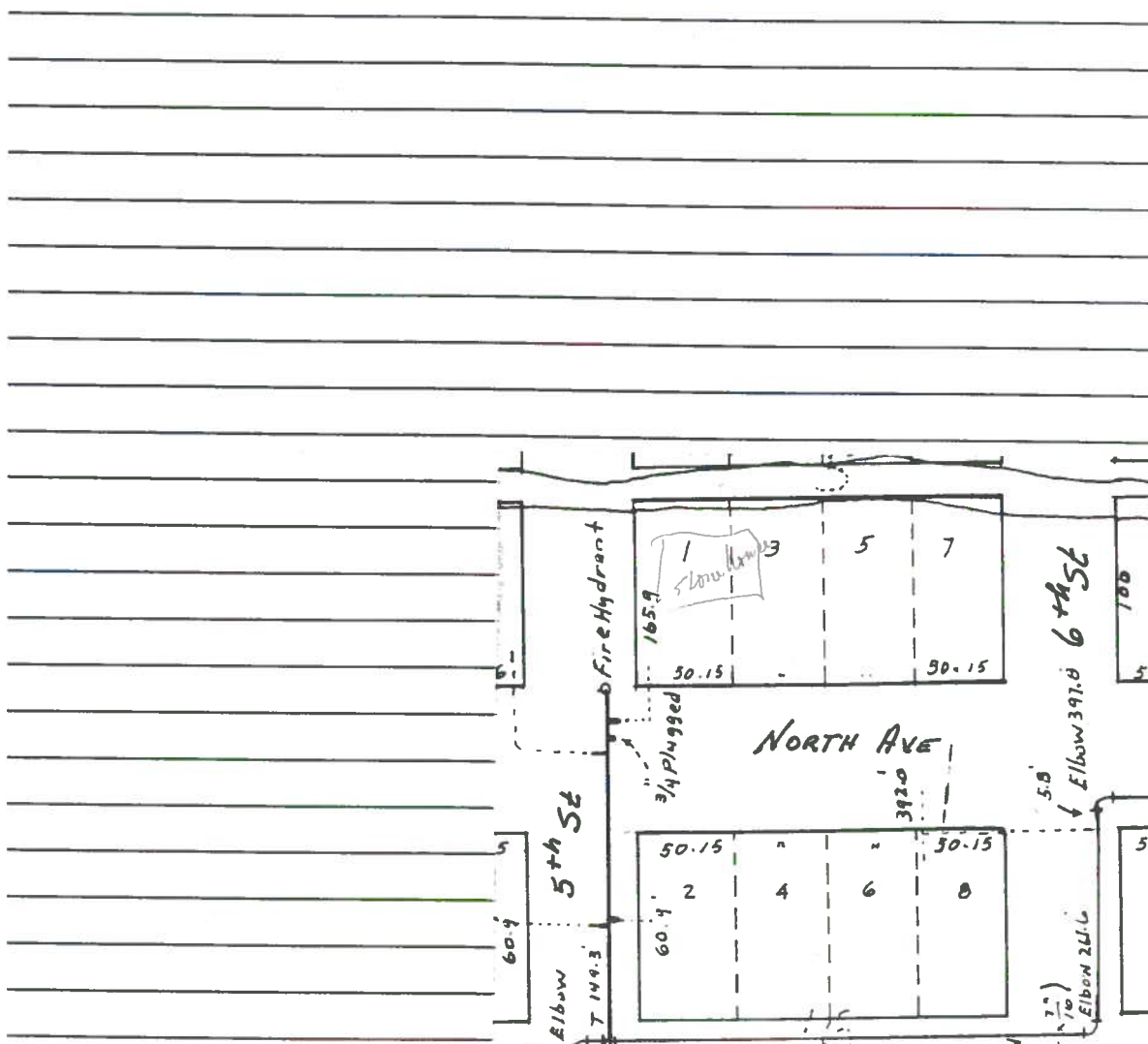
BLOCK _____ LOT(S) _____

PLACE OF USE LEGAL DESCRIPTION:

TNS 14N RNG 19E SEC 32 Q/Q NE NE; _____

DIVERSION WORKS DESCRIPTION:

PUMP HP: _____ LIFT: _____ SPRINKLERS USED: _____



MICROFILMED

MAR 19 1993

FEB-05-1997
0008

RIGHT NUMBER: 72-00078

NAME AND ADDRESS: JON WINEGARNER
PO BOX 1032
CHALLIS ID 83226

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.06 CFS
0.17 CFS

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

PRIORITY DATE: 05/15/1881

POINT OF DIVERSION: T14N R19E S32 NENENE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC LAWN & GARDEN	Irrigation Season	0.06 CFS
	DOMESTIC DOMESTIC/1 HOME/ LAWN & G	04/18 10/18	0.17 CFS

PLACE OF USE:	DOMESTIC	Within CUSTER County
	T14N R19E S32	NENE
	DOMESTIC	Within CUSTER County
	T14N R19E S32	NENE

OTHER MATTERS 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PARCEL NO. RP A0001005001A
PROPERTY IS ALSO KNOWN AS LOTS 1 AND 3, BLK 5, CITY OF CHALLIS

DATE: 01/17/97
PAGE: 9

DIVERSION
VOLUME

Stage: DECREED

CUSTER County

SE

七

Other Rights: NONE

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

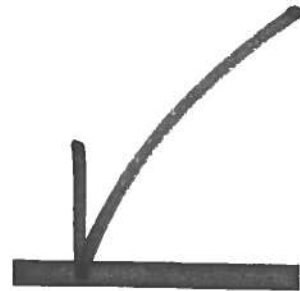
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

exp

Comments: Date: 04/06/1995 User-ID: KCHRISTE Subject: BASIS OF PRESUMPTION FLAG 'A'

2/4/97

R PROOF



CVR

*short
form*

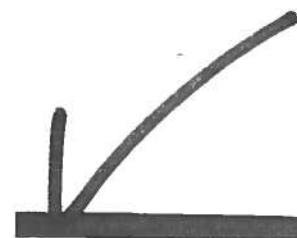
MAPS



PHOTOS



MISC



Water Right Number - R72-00078

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
WINEGARNER

JON

1 - PO BOX 1032
2 -
3 -
City- CHALLIS
Phone - 208-879-4703

State- ID Zip- 83226

VERIFIED BY KKC

Priority Date - 05/15/1881

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - GARDEN CREEK

Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	19E	32	NE NE NE			(37) CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		04/15	10/15		0.060	

Total Div. Rate - 0.060

Total Div. Volume - 0.060

Total Consumptive Use - 0.0

KM Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	32	NE NE			43 DOMESTIC			(37) CUSTER

Total Acres:

- - - Diversion Means - ELECTRIC PUMP IN CREEK

- - - Non-Irrigation Use - DOMESTIC, LAWN & GARDEN

- - - Other Rights for Same Use - NONE

PARCEL NO. RP A0001005001A
PROPERTY IS ALSO KNOWN AS LOTS 1 AND 3, BLK 5, CITY OF CHALLIS

A7200078

Old Water Right Numbers -

Conditions of Approval -
No Conditions of Approval found.

Water right number - R72-00078 Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
ADAMS, ET AL	VANDERVOORT, ET AL	05/19/1914

+ - - - - -Comments- - - - -
Date: 04/06/1995 User Id: KCHRISTE Subject: BASIS OF PRESUMPTION FLAG 'A'
THIS CLAIM WAS FLAGGED BECAUSE THE POINT OF DIVERSION WAS NOT DESCRIBED IN THE DECREE. THE PLACE OF USE IS SMALLER THAN
DECREED BUT WITHIN THE SAME DESCRIPTION. KKC

+ - - Audit Fields - - +
04/06/95 KCHRISTE

Adjudication Rights Dates and Flags Area									
Court Report Filing	- 00/00/0000	Field Inspection Made	- 04/04/1995	Civil Case Number	-	39576			
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 04/06/1995	Old Judicial District	-				
Claim Received Date	- 05/20/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- S013364	Water District	- 72B				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	-	Presumption Flag	- A				
				Notice of Error Flag	-				

CLAIM NO. A72-00078

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
☐ Source is different than that claimed:
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
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump _____ Pump Ser. # Tag not found Pumping water level 4' lift
Well depth _____ Motor Ser. # Tag Static water level _____
Casing size _____ Method of irr. sprinkler (3 OSCILLATING FAN TYPE GARDEN SPRINKLERS)
6. ☐ No Change - WATER USES
☐ Different uses, (list uses found).
Use irr (domestic) From 4-15 To 16-15 Amount .06 cfs — af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☐ No Change - TOTAL VOLUME (N/A considered minimums)
☐ Incomplete on claim, the total is, -- -- cfs -- af
☐ 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 0 Stockwater - No. of head _____
Other: use is for lawn & garden use only.

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

Remarks: (Comments pertinent to field examination)

system was not turned on for season. Use is 3 sprinklers
with an ~~output~~ estimated output of 9 gal/min
3 sprinklers

9 GPM

27 GPM total dw. = 0.06 CFS (Recommended rate)
the current P/U is lots 1 & 3 of Block 5. The
lots 2 & 4 in Block 16 were originally part of the P/U
but they no longer receive water from Garden Cr.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit
file, see permit file.

DATE EXAM CONDUCTED:

4-9-95

FIELD EXAMINER:

KELLY K. CHRISTENSEN

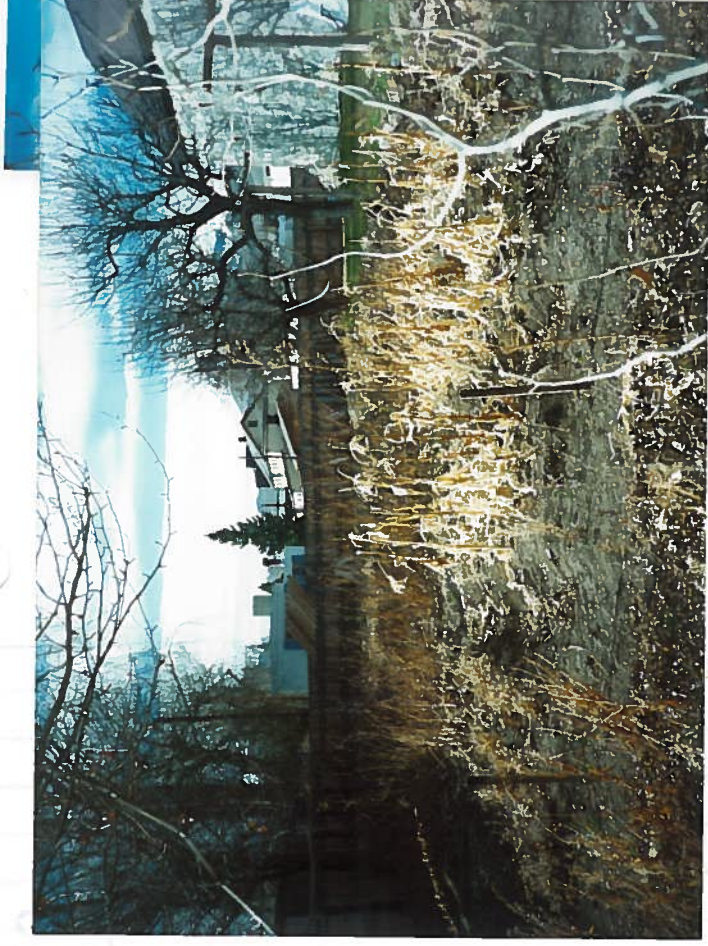
Signature

Remark JØ 1

City of Challis
Block 5 lots 1 & 3.

CLAIM # A72-00078
DATE PHOTOS TAKEN; 04-04-99
PICTURE SET # 1

This photo set was taken from near the northeast corner of the property and shows the point of diversion and the lawn/garden area irrigated. Garden Creek is just out of the picture frame to the right. The pump was not set up on the exam day as this was too early to start watering in this area. He did have a small centrifugal pump for irrigation. You are looking west on the left to south on the right.



WATER RIGHT NUMBER - A72-00078

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - - - - FIRST NAME - - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***

WINEGARNER

JON

1 - P.O. BOX 1032

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-4703

STATE- ID ZIP- 33226

+ - - - - PRIORITY DATE - - - +

05/15/1881

+ - - - - REGION - - - +

17 SOUTHERN

+ - - - - STAGE - - - +

D - DECREED

+ - - - - STATUS - - - - +

+ - - - - SOURCE - - - - +

GARDEN CREEK

+ - - - - TRIBUTARY - - - - +

SALMON RIVER

+ - - - - POINT OF DIVERSION - - - - +

STREAM INDEX (BLANK IF NO INDEX CODE)

TWN

RNG

SEC

TRACT

LOT

RFLG

COUNTY

14N

19E

32

NE NE NE

(37) CUSTER

+ - - - - CODE

43 - DOMESTIC

+ - - - - DESCRIPTION

PERIOD FROM

PERIOD TO

WATER USE

DIVERSION RATE

DIVERSION VOLUME

04/15

10/15

0.100

+ - - - - TOTAL DIV. RATE - - - +

0.100

+ - - - - TOTAL DIV. VOLUME - - - +

+ - - - - TOTAL DIV. CAPACITY - - - +

+ - - - - TOTAL CONSUMPTIVE USE - - - +

0.0

+ - - - - TWN

14N

+ - - - - RNG

19E

+ - - - - SEC

32

+ - - - - TRACT

NE NE

+ - - - - LOT

ACRES

+ - - - - PLACE OF USE

CODE

+ - - - - DESCRIPTION

COUNTY

+ - - - - DIVERSION MEANS - ELECTRIC PUMP IN CREEK

43 DOMESTIC

(37) CUSTER

+ - - - - NON-IRRIGATION USE - DOMESTIC/1 HOME, LAWN & GARDEN

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - -

NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS

A7200078

+ - - - - CONDITIONS OF APPROVAL - - - - -

NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

ADAMS, ET AL

+ - - - - DECREE DEFENDANT - - - +

VANDERVOORT, ET AL

+ - - - - DECREE DATE - - - +

00/00/0000

+ - - - - AUDIT FIELDS - 05/21/91 CLELLAND

