

03/24/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 72-10183
NAME AND ADDRESS: ARTHUR J WILL
PO BOX 163
CHALLIS ID 83226-0163
DIANA I WILL
PO BOX 163
CHALLIS ID 83226-0163

VERIFIED BY KKC
3-24-08

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.040 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/01/1973

POINT OF DIVERSION:
T14N R19E S16 NWNESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC in CUSTER County
T14N R19E S16 NESW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Christensen, Kelly

From: Spencer, Nick
Sent: Tuesday, December 04, 2007 3:20 PM
To: Christensen, Kelly
Cc: Williams, Ray
Subject: 72-10183 (Arthur and Diana Will)

Hi Kelly. The SM at the hearing today was willing to make the corrections himself so as to avoid having us send in a corrected water right description. However, unfortunately the claimants didn't show up, so we were unable to confirm with them that the well is on their property, rather than across the fence on the neighbor's property, and, therefore we could not nail down the POD for sure. And additionally neither the court nor I had their phone number, so we couldn't call them to get them on the phone to tell us. Therefore the Court asked IDWR to check it out with the Wills and send him a corrected water right description. I presume that whomever is processing the change of ownership will have the Wills' address and phone number. Could you give them a call to nail down the POD and then prepare a new water right description with the correct POD and POU? Let me know your thoughts. Thanks. NBS

called 12-4-07
3:30 P.M.

679-6950



As of 3-21-08

I have set the claim as active
Created a recommendation linked the PO4
and updated PLS.

POD Not Linked att. KKE

3.24.08 Recon completed.

FEB-13-1997
0005

RIGHT NUMBER: 72-10183

NAME AND ADDRESS: HARRY E SCHULTZ
JUDY A SCHULTZ
HC 63 BOX 1565
W/E 63 BOX 1565
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/01/1973

POINT OF DIVERSION: T14N R19E S16 SWSNW Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
DOMESTIC 1 HOME 01-01 12-31 0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T14N R19E S16 SENW

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 - BENEFICIAL USE
PARCEL NO. RP14N19E164820A

VERIFIED BY KKC
2-13-97

DATE: 01/17/97
PAGE: 5

DIVERSION VOLUME

0.04 CFS

TOTAL DIVERSION:

Stage: BENEFICIAL USE

CUSTER County


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:      NESE      NWSE      SESE
:      Lt AC    Lt AC    Lt AC
:      -----
:
:

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Objection Filed Date:

2

780

DATE

VERIFIED BY 2-10-97
KJ

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: A72-10183
Date Received: 12/05/1989
Receipt No: M005298
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRY E SCHULTZ 208-879-2226
Address: H/C 63 BOX 1565
CHALLIS, ID 83226

OR

Name: JUDY A. SCHULTZ 208-879-2226
Address: H/C 63 BOX 1565
CHALLIS, ID 83226

2. Date of Priority: SEP 01, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	16	SW	SE	NW		CUSTER

5. Description of diverting works:
6" X 180' WELL, 1 HP 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,

A72-10183

Page 1

Date: 12/05/89

MICROFILMED
MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	16	SE NW		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:
IRRIG. FROM CHALLIS CR. HIGH LINE CANAL.

14. Remarks:

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):

Harry Shultz

Date:

12-5-89

Date:

State of Idaho)

County of

Custer

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 5th day

of December 1989

Robert V. Worstell
Notary Public

Seal

Residing at

Twin Falls, Idaho

My Commission Expires

January 16, 1995



12-5-2007

Information to be presented to the SRBA court
confirming the correct legal description for the right
in question. Court is hearing a motion to set aside the
decree in order to correct the decreed legal description
of the POD: POU.

Kelly Christensen

Bx 49

WATER RIGHT NUMBER - A72-10133

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (C) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SCHULTZ

HARRY E

1 - H/C 63 BOX 1565
2 -
3 -

STATE- ID ZIP- 83226

SCHULTZ

JUDY A.

CITY- CHALLIS
PHONE - 208-879-2226
1 - H/C 63 BOX 1565
2 -
3 -

STATE- ID ZIP- 83226

CITY- CHALLIS
PHONE - 208-879-2226

+ - - - - PRIORITY DATE - - - - + + - - - REGION - - - - + + - - - STAGE - - - - + + - - - STATUS - - - - +
09/01/1973 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +

+ - - - - TOWN - - - - - RING - - - - - SEC - - - - - TRACT - - - - - LOT - - - - - RFLG - - - - - COUNTY - - - - - POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE) - - - - - +

14N 19E 16 SW SE NW (37) CUSTER

+ - - - - CODE - - - - - DESCRIPTION - - - - - PERIOD FROM - - - - - 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 0.040 0.0

+ - - - - TOWN - - - - - RING - - - - - SEC - - - - - TRACT - - - - - LOT - - - - - ACRES - - - - - PLACE OF USE - - - - - DESCRIPTION - - - - - COUNTY - - - - - +

14N 19E 16 SE NW

43 DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - 6" X 180' WELL, 1 HP PUMP.

+ - - - - NON-IRRIGATION USE - D/1 HOUSE,

+ - - - - OTHER RIGHTS FOR SAME USE - IRRIG. FROM CHALLIS CR. HIGH LINE CANAL.

+ - - - - REMARKS - - - - - NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

NOV 01 1994

