

MAR-03-1997
0009

1

RIGHT NUMBER: 72-10419

NAME AND ADDRESS:
GEAN A WESTERGARD
DIANA M WESTERGARD
HC 63 BOX 1790
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 01/20/1980

POINT OF DIVERSION: T14N R19E S36 SENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.05 CFS

PLACE OF USE: DOMESTIC T14N R19E S36
Within CUSTER County
SENE

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. RP14N19E361810A



DATE: 01/17/97
PAGE: 9

DIVERSION
VOLUME

Audit:	07/28/93	SMITH	03/30/95	POST-STD	01/14/97	DS1-PROD
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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: A72-10419
Date Received: 1/10/1990
Receipt No: S010922
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GEAN A. WESTERGARD
Address: HC 63 BOX 1790
CHALLIS, ID 83226

208-879-2722

OR
Name: DIANA M. WESTERGARD
Address: HC 63 BOX 1790
CHALLIS, ID 83226

208-879-2722

RECEIVED

2. Date of Priority: JAN 20, 1980

JAN 25 1990

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources
Southern Region Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	36	SE	NE			CUSTER

5. Description of diverting works:
6"X 340' WELL, 1½ 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	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A72-10419

Page 1

Date: 01/22/90

MICROFILMED

MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	36	SE 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: 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 X 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): James A. Montoya Date: 1-24-90

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of Jan 19 90
Robert L. Swine
Notary Public

Seal

Residing at Challis, Idaho
My Commission Expires 3-16-1991

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: A72-10419
Date Received: 1/10/1990
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AMENDED

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ACQUIRED UNDER STATE LAW

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1. Name: GEAN A. WESTERGARD
Address: HC 63 BOX 1790
CHALLIS, ID 83226 208-879-2722

OR

Name: DIANA M. WESTERGARD
Address: HC 63 BOX 1790
CHALLIS, ID 83226 208-879-2722

2. Date of Priority: JAN 20, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	36	SE	of	NE		CUSTER

5. Description of diverting works:
6"X 340' WELL, 1½ HP PUMP

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Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A72-10419

Page 1

Date: 01/22/90

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MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	36	SE	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: 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): _____ 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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-Jan-1990 13:14

Gean Westergard
HC 63 Box 1790
Challis, ID 83226

RE: Amended Claims A72-10419, A72-10420 & A72-10421

Dear Mr. Westergard:

Please find enclosed the draft amendments of your claims based on our phone conversation this day and the maps attached to your original claims. If they correctly describe your water use please sign them before a notary and return them to our office.

If you have any questions please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Encl:

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MAR 19 1993

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: A72-10419
Date Received: 1/10/1990
Receipt No: S010922
Received By: _____

DATA ENTERED BY: SEC
DATE: 1-11-90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEAN A. WESTERGARD 208-879-2722
Address: HC 63 BOX 1790
CHALLIS, ID 83226

OR
Name: DIANA M. WESTERGARD 208-879-2722
Address: HC 63 BOX 1790
CHALLIS, ID 83226

2. Date of Priority: JAN 20, 1980

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	10	NE	SE	SE		CUSTER

5. Description of diverting works:
6"X 340' WELL, 1½ 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	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A72-10419

Page 1

Date: 01/11/90

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MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	10	NE SE		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:

DWR NOTE

MAP ATTACHMENTS DO NOT MATCH WITH LEGAL DESCRIPTIONS ON CLAIM.

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): _____ 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. A72-10419

Date Received

Receipt Number 5010922 sec

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

JAN 10 1990

Department of Water Resource
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Sharon H. or Diana M. Westergaard Phone (208) 899-1711

Mailing Address H/663 Box 1790 Challis, Idaho Zip 83211-6

2. Date of Priority (Only one per claim) 1-20-80 Month/Day/Year

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

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

Section 36 NE 1/4 of SE 4 1/4 of SE 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. Well & Pump (1 1/2 HP) 6" Well 340 Deep

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

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.05 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.05 (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) 0/1

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MAR 19 1993

10. Place of use is: Township: 14 N Range 19 E
Section 36, NE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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 1

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

Signature of Claimant (s) [Signature] Date 1-8-90

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 8TH day of JAN. 19 90

SEAL

Notary Public [Signature]

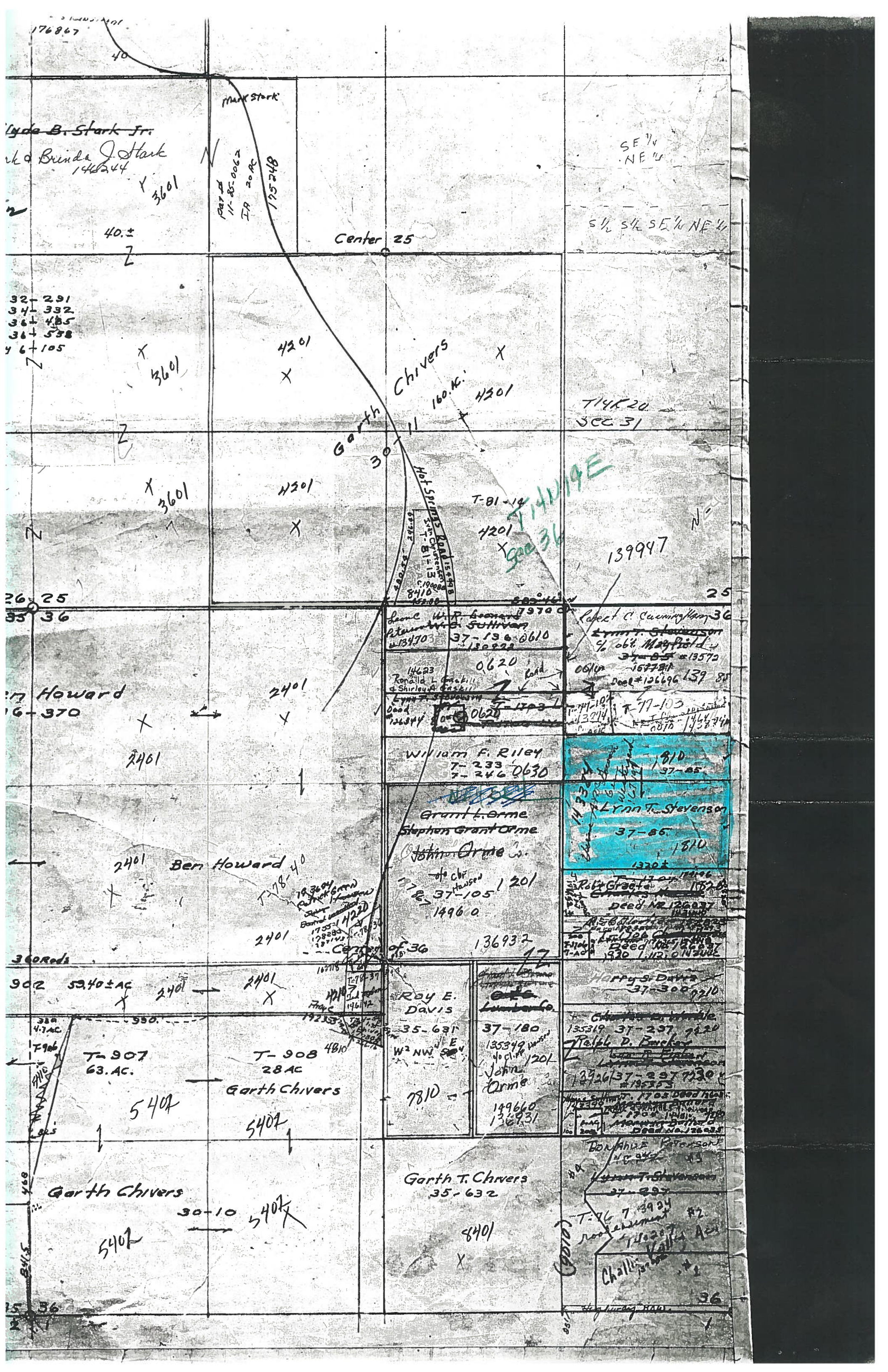
Residing at Challis, Idaho

My Commission Expires 3-16-1991

Last Name SEVERE Ident No. 518-48-9004

Copies: White-State, Yellow-Claimant

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MAR 19 1993



176867

Lyda B. Stark Jr.
Brinda J. Stark
146244

Mark Stark

11-85-0062
T-907
R-902

SE 1/4
NE 1/4

5 1/2 5 1/2 SE 1/4 NE 1/4

Center 25

32-291
34-332
36-485
36-538
46-105

4201

Garth Chivers

4201

T-907
R-902

26-25
35-36

Howard
6-370

2401

Leone W. P. Leonard
Pittman W. Sullivan
134703 37-136 0610

Robert C. Cunningham
Lynn T. Stevenson
1/2 Robt. Mayfield
37-05 13572

14623
Ronald L. Gaskill
Shirley A. Gaskill
Lynn T. Stevenson
Deed 126344

0610
Deed 126696 139 80

0620

T-907
R-902

William F. Riley
T-233
T-246 0630

1810
37-85

Grant L. Orme
Stephen Grant Orme
John Orme Jr.

Lynn T. Stevenson
37-86

John Orme Jr.

1810

37-105 1201
14960

13202

Center of 36

Deed 126344

902 5240±AC

T-907
63. AC.

T-908
28 AC

Garth Chivers

5407

Garth Chivers

30-10

5407

RAY E. DAVIS
35-631
W 1/2 NW 1/4

Happy S. Davis
37-300 9210

Garth T. Chivers
35-632

Charles C. Binkley
135319 37-297 7220

Garth T. Chivers

Ralph D. Binkley
135319 37-297 7220

Garth T. Chivers

Donna H. Binkley
135319 37-297 7220

Garth T. Chivers

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Garth T. Chivers

Donna H. Binkley



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 19, 1990

Re: A72-10419
A72-10420
A72-10421

GEAN A WESTERGARD
HC 63 BOX 1790
CHALLIS ID 83226

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 19 1993

WATER RIGHT NUMBER - A72-10419

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

*** C - CURRENT OWNER ***
WESTERGARD

GEAN A.

1 - HC 63 BOX 1790
2 -
3 -

CITY- CHALLIS
PHONE - 208-879-2722
1 - HC 63 BOX 1790
2 -
3 -

STATE- ID ZIP- 83226

WESTERGARD

DIANA M.

CITY- CHALLIS
PHONE - 208-879-2722
1 - HC 63 BOX 1790
2 -
3 -

STATE- ID ZIP- 83226

+ - - - - PRIORITY DATE - - - - +
01/20/1980

+ - - - - REGION - - - - +
17 SOUTHERN

+ - - - - STAGE - - - - +
J - BENEFICIAL USE

+ - - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

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

14N 19E 36 SE NE (37) CUSTER

+ - - - - DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.050

+ - - - - TOTAL DIV. RATE - + - - - TOTAL DIV. VOLUME - + - - - TOTAL DIV. CAPACITY - + - - - TOTAL CONSUMPTIVE USE - + - - - KW USAGE - +
0.050 0.050 0.0

+ - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

14N 19E 36 SE NE

43 DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - 6"X 340' WELL, 1= HP PUMP

+ - - - - NON-IRRIGATION USE - D/I HOUSE

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

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

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

MICROFILMED

11/11/1994

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