

MAR-03-1997
0010

RIGHT NUMBER: 72-10421

NAME AND ADDRESS:
DIANA M WESTERGARD
GEAN A 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: 04/15/1982

POINT OF DIVERSION: T14N R19E S10 NESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:
DOMESTIC 1 HOME

PERIOD OF USE
D1-01 12-31

QUANTITY
0.05 CFS

PLACE OF USE: DOMESTIC T14N R19E S10
Within CUSTER County NESW

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. RP00056000040A
P/U AND P/D ARE IN LOT 4 OF MOUNTAIN VIEW ESTATES SUBDIVISION.



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: A72-10421
Date Received: 1/10/1990
Receipt No: S010922
Received By: _____

JAN 25 1990

Department of Water Resources

Southern Region Office

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

2. Date of Priority: APR 15, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	10	NE	SW			CUSTER

5. Description of diverting works:
6"X 380' 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	0.050		

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

A72-10421

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	10	NE SW		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:

P/U AND P/D IN LOT 4 OF MOUNTAIN VIEW ESTATES SUBDIV.

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): Sean H. Wadsworth Date: 1-24-90

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of January 19 90

Clayton R. Suore
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: A72-10421
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
OR
Name: DIANA M. WESTERGARD
Address: HC 63 BOX 1790
CHALLIS, ID 83226
208-879-2722
208-879-2722
2. Date of Priority: APR 15, 1982
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
14N 19E 10 NE SW CUSTER
5. Description of diverting works:
6"X 380' 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 0.050
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

10. Place of Use:

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

P/U AND P/D IN LOT 4 OF MOUNTAIN VIEW ESTATES SUBDIV.

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 dark ink, 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: A72-10421
Date Received: 1/10/1990
Receipt No: S010922
Received By: _____

DATA ENTERED BY ERC
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: APR 15, 1982

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	NE	SW		CUSTER

5. Description of diverting works:
6"X 380' 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	0.050		

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	10	NE	SW		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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 472-10421Date Received 1-10-90Receipt Number 5010922 scNOTICE 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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Leon A. or Diana M. Westergaard Phone (208) 879-2721Mailing Address H/c 63 Box 1790 Charlton Id. Zip 832262. Date of Priority (Only one per claim) 4-15-82 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 14 N Range 19 ESection 10 , NE 1/4 of 5 W 1/4 of _____ 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. 6" well Depth 380 ft.

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 minimus9. 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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10. Place of use is: Township: 14N Range 19E
Section 10, NE 1/4 of 50 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 _____ 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 0

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

Signature of Claimant (s) Sean R. Westgaard Date 1-8-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
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 Clayton R. Suter

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

VIEW ESTATES

SECTION 10
COUNTY, IDAHO
N. 19E B.M.

R
ON CORNER
ENT

Road to the
feet in length and
%, sloping from

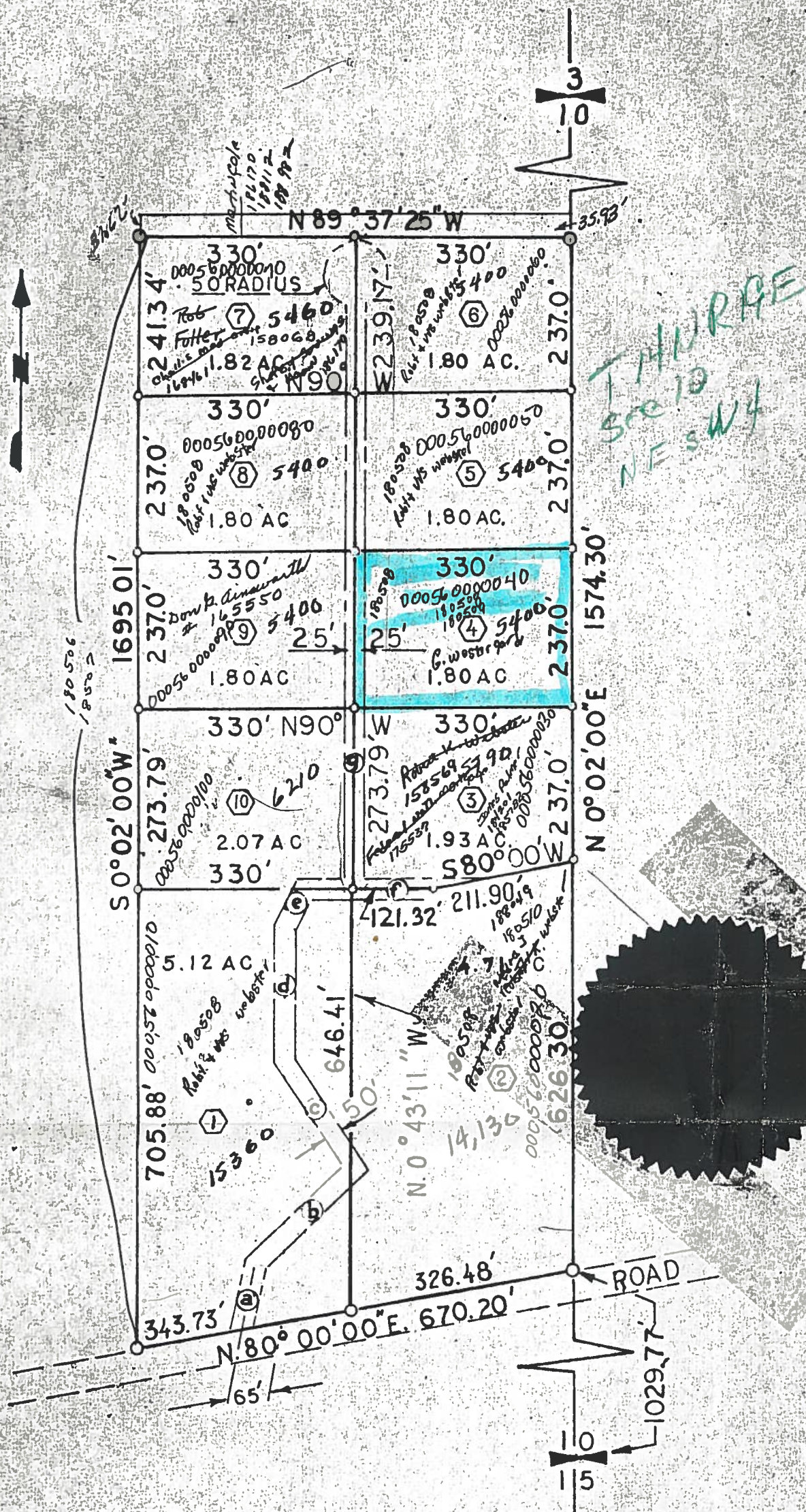
Mountain View
Expts
Lx

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and
or recording
of



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A copy of
attached here to
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olve a sewage
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tment.
/Health Specialist

980



SU
1. W.B. Kresner
Civil Engineer,
Boundary Desc.
staked on the 9
shown hereon.
copy of the ori
STATE OF IDAHO

Beginning at a
east corner of
ship 14 North,
continuing N 0
feet; thence
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The above de
acres.
All Lots lying
subject to the

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Owners of the
hereon have ca
hereafter know

IN WITNESS
day of Decer

State of IDAHO,
County of Custer
BE IT REMEMBE
personally appe
for said State a
and after being
said dedication
mentioned.
My Commission

I certify that
both delinquent
included in this

I hereby certify
Custer County,
Recorder of Cus
10 15
on page 2

County's Acceptance

The foregoing plat was duly accepted and approved by the Board of County Commissioners of Custer County, Idaho, by resolution adopted this day of 1980. The maintenance of streets is dependant on improvements to County Standards.

Approved by Board Chairman

County Planning and Zoning Acceptance

This plat was accepted and approved by the Planning and Zoning Commission of Custer County, Idaho on this 3 day of DEC 1980.

Chairman

Surveyor's Certificate

W.B. Kremen depose and say that I am a Registered Civil Engineer, that I have surveyed the tract of land described in the Boundary Description attached hereto, that said tract has been staked on the ground according to the State Law and the map shown hereon. I further certify that this tracing is an exact copy of the original Plat.

STATE OF IDAHO

W.B. Kremen

12/9/80

Boundary Description

Beginning at a point $N 0^{\circ} 02' 00'' E$ - 1029.77 feet from the south east corner of the southwest quarter of section 10, Township 14 North, Range 19 E, Boise Meridian; thence continuing $N 0^{\circ} 02' 00'' E$ along said east boundary 1574.30 feet; thence $N 89^{\circ} 37' 25'' W$ - 660.0 feet; thence $S 0^{\circ} 02' 00'' W$ - 1695.01 feet; thence $N 80^{\circ} 00' 00'' E$ - 670.20 feet to the POINT OF BEGINNING. 24.96
The above described tract contains approximately 24.8565 acres.

All Lots lying within the boundaries of Mountain View Estates are subject to the access easement as shown on the Plat thereof.

Owner's Dedication

KNOW ALL MEN BY THESE PRESENTS: That We the undersigned Owners of the tract of land described in the Boundary Description hereon have caused the same to be subdivided into 10 Lots hereafter known as Mountain View Estates

IN WITNESS WHEREOF We have hereunto set our hands this 4th day of December, 1980

Robert M. Webster

Robert K. Webster

Don Webster

Maria J. Webster

Acknowledgement

State of IDAHO

County of Custer

BE IT REMEMBERED: That on this 4th day of December, 1980, personally appeared before me, the undersigned Notary Public in and for said State and County, the signers of the above Owners Dedication and after being duly sworn, acknowledged to me that they signed said dedication freely and voluntarily for the purpose therein mentioned.

My Commission Expires LIFETIME

Don C. Mason
Notary Public Residing in CUSTER County, Idaho

County Treasures Certificate

I certify that there no County property taxes due, either on both delinquent and current, but not paid, upon the property included in this plat.

County Treasurer Alma R. Adams

Recorder's Certificate

I hereby certify that the foregoing Plat of Mountain View Estates Custer County, Idaho was filed for recording in the Office of the Recorder of Custer County, Idaho, on the day of December 10 1980, at 3:04M, and recorded in Plat Book No. _____ on page _____ and on microfilm No. 156 968

Howard A. Darter
Custer County Recorder

By: Barker Abbott



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 cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 19 1993

WATER RIGHT NUMBER - A72-10421

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - - - - FIRST NAME - - - - +

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

*** C - CURRENT OWNER ***

WESTERGARD

DIANA M.

1 - HC 63 BOX 1790

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-2722

1 - HC 63 BOX 1790

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-2722

STATE- ID

ZIP- 83226

WESTERGARD

GEAN A.

STATE- ID

ZIP- 83226

+ - - - - PRIORITY DATE - - - - +

04/15/1982

+ - - - - REGION - - - - +

17 SOUTHERN

+ - - - - SOURCE - - - - - +

GROUNDWATER

+ - - - - STAGE - - - - +

J - BENEFICIAL USE

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

+ - - - - STATUS - - - - - +

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

TWN

RNG

SEC

TRACT

LOT

RFLG

COUNTY

STREAM INDEX (BLANK IF NO INDEX CODE)

14N

19E

10

NE SW

(37)

CUSTER

+ - - - - DESCRIPTION

CODE

43 - DOMESTIC

PERIOD FROM

PERIOD TO

WATER USE

DIVERSION RATE

DIVERSION VOLUME

01/01

12/31

0.050

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

0.050

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

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

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

0.0

+ - - - - KW USAGE - - - - - +

+ - - - - TRACT

SEC

RNG

TWN

LOT

ACRES

PLACE OF USE

DESCRIPTION

COUNTY

14N

19E

10

NE SW

43

DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - 6"X 380' WELL, PUMP

+ - - - - NON-IRRIGATION USE - 0/1 HOUSE

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

+ - - - - REMARKS

P/U AND P/O IN LOT 4 OF MOUNTAIN VIEW ESTATES SUBDIV.

+ - - - - OLD WATER RIGHT NUMBERS

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL

NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

1144 01 1994

