

MAR-03-1997
0049

RIGHT NUMBER: 72-11759

NAME AND ADDRESS:

WILLIAM P HELSLEY JR
MARY K HELSLEY JR
7777 S BISCAYNE DR
SALT LAKE CITY UT 84121

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

05/03/1973

POINT OF DIVERSION:

T11N R17E S30

SWSW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T11N R17E S30

Within CUSTER County
SWSW

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. RP11N17E306050

✓ DE ✓

DATE: 01/17/97
PAGE: 67

DIVERSION
VOLUME

0.04 CFS

Stage: BENEFICIAL USE

CUSTER County

SESW	:	NESE
t AC	:	Lt AC
---	:	---
	:	

000

DATE _____



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: A72-11759
Date Received: 8/28/1992
Receipt No: C025337
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILLIAM P HELSLEY JR
Address: 7777 S BISCAYNE DR
SALT LAKE CITY UT

84121

801-942-7871

AND/OR

Name: MARY K HELSLEY JR
Address: 7777 S BISCAYNE DR
SALT LAKE CITY UT

84121

801-942-7871

2. Date of Priority: MAY 3, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	17E	30	SW	SW	SW		CUSTER

5. Description of diverting works:

52'X6" WELL WITH 1HP PUMP, PIPES TO SHOP, GARAGE, HOUSE

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:

DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	17E	30	SW	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:

15. Basis of Claim: BENEFICIAL USE

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

JUL 15 1992

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39578 Department of Water Resources

Identificatic. 72-11759 Southern Region Office

Date Received 7-31-92

Receipt Number C025104 / C025337 lat

NOTICE OF CLAIM

RECEIVED

JUL 31 1992

Department of Water Resources

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.

JUL 13 1992

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) William P. and Mary K. Helsley Jr. Phone (801) 942-7871
Mailing Address 7777 South Biscayne Dr. Salt Lake City, Utah Zip 841312. Date of Priority (Only one per claim) May 3, 1973 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 11N Range 17E
Section 30, SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot 6, 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 6 inch Diameter casing, Submersible
Pump 1 Horse Power, 52 Feet Deep Pipe to
Shop Garage and House

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 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.04 (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) Domestic (1)

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10. Place of use is: Township: 11 N Range 17 E
Section 30, SW 1/4 of SW 1/4, Govt. Lot 6, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any none

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

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 _____

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 None

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

Signature of Claimant (s) William P. Hershey Jr. Date July 9, 1992
Mary K. Hershey Date 7/9/92

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 Lemhi)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 9 day of July 19 92

SEAL

Notary Public Gloria J. Colonna

Residing at Ellis, Id.

My Commission Expires June 1998

Last Name Colonna Ident No. _____

Copies: White-State, Yellow-Claimant

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E RECEIVED 3/29/88 CHECK # 1742 273 AMOUNT \$ 25

Should be 11/29/88 see check copy of original list

	YES	NO
Is the name and address complete with zip code?	☒	☐

Is a priority date entered?	☒	☐
-----------------------------	-------------------------------------	--------------------------

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒ N/A	☐

Is the legal description of the p.d. sufficient?	☒	☒
--	-------------------------------------	-------------------------------------

Is there a description of the diverting works?	☒	☐
--	-------------------------------------	--------------------------

Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?	☒	☐
--------------------------------	-------------------------------------	--------------------------

Is a quantity claimed for each use?	☒	☐
-------------------------------------	-------------------------------------	--------------------------

Is a total quantity claimed entered?	☒	☐
--------------------------------------	-------------------------------------	--------------------------

If required is a consumptive use entered?	☒ N/A	☐
---	---	--------------------------

Is the consumptive use correct?	☒ N/A	☐
---------------------------------	---	--------------------------

Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

Is (are) the place(s) of use entered?	☒	☒
---------------------------------------	-------------------------------------	-------------------------------------

Is (are) the county(ies) entered?	☒	☐
-----------------------------------	-------------------------------------	--------------------------

Is the ownership of p.u. checked?	☒	☐
-----------------------------------	-------------------------------------	--------------------------

Are other water rights listed or "none" checked?	☒	☐
--	-------------------------------------	--------------------------

If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

Is the basis of the claim checked?	☒	☐
------------------------------------	-------------------------------------	--------------------------

Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
---	-------------------------------------	--------------------------

the claim been signed, sealed, and dated by a notary?	☒	☐
---	-------------------------------------	--------------------------

the fee enclosed correct?	☒	☐
---------------------------	-------------------------------------	--------------------------

this claim is based on an existing water right, has the identification number been entered?

uld this claim be receipted and data entered?	☒	☒
---	-------------------------------------	-------------------------------------

Claim checked by: <u>SCC</u>		
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ments: #4 + #10 incomplete legals OK/pf 8-28-92 **MICROFILMED**

MAR 19 1993

MEMO TO SRBA CLAIM FILE NO. A72-11759

CLAIMANT'S NAME: Helsley, William P. or Mary K.

DATE: 08/31/92

COUNTY: Custer

EMPLOYEE: S. Frazee

RE: Chronology of Claim and Fees Received

Item 1:

Copy of unnumbered claim, with no receipt # written on it, in package. There is a copy of Helsley's check #1742 dated 11/22/88 for \$25.00 over the claim copy. Two date stamps on this copy: 11/28/88, Eastern Region
12/30/88, Southern Region

Someone wrote on checklist to use rec'd date as "11/29/88, see check". Check #1742 copy shows check was written 11/22/88. Don said to use 11/29/88, but then claim would not have been late.

Only have the first page of the claim.

Item 2:

Copy of undated letter from Allen Merritt to William Helsley, returning check #1742 and the claim for lack of #4 and #10.

Item 3:

Original letter from Allen to claimant dated 7/15/92, returning the second claim they completed, which was received at Eastern on 7/13/92, and received at Southern on 7/15/92. Allen also returned their check #273 for \$25.00 and requested late fee of \$50.00 because claimant missed deadline of 1/12/90.

Question: If claimants' original claim was received 11/28/88, how can they be considered late??

In Allen's 7/15/92 letter, enclosures are not listed. Did he send the Extension Request with the letter? There is no mention of that form in Allen's letter.

Item 4:

Claim and Request for Extension received at S.O. 7/31/92. DBS denied; late fees paid on C025337. On 8/13/92, John Carlson sent claimant letter suspending processing of claim and requesting late fees. Fees were paid on 8/28/92.

WHAT DATE SHOULD BE USED AS REC'D DATE?

per Helen H.-T.

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MAR 19 1993

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 1

Date: 08/31/92
Time: 11:13:06

Receipt Number : C025104

Receipt AMT : 25.00

Receipt Type : CK
Date & Time : 08/03/1992 09:04:48
From Payer : HELSLEY, W. PHIL
User ID : YARBROUG
Adjust Flag : W
Trans Number : _____
AR Number : _____
Receipt Remarks: _____
Update Remarks : _____
Amount Refunded: _____
Refund Reason : _____
Refund Name : _____

Check Number: 273
Julian Date : -

Rec. Group : F
Trans Yr-Mo : -

Refund Date : __/__/__

Refund CK No: _____

Receipted Fees : _

Water Right Numbers: _

(Enter=Continue) (GOLD2=Update)

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MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 13, 1992

Mr. & Mrs. William P. Helsley, Jr.
7777 S. Biscayne Dr.
Salt Lake City, UT 84121

RE: Snake River Basin Adjudication (SRBA)
Custer County

Dear Mr. & Mrs. Helsley:

Your Request for Extension of Time to File an Adjudication Claim was denied.

We will suspend the processing of your claim for 30 days from the date of this letter until late fees in the amount of \$50.00 are paid.

Please contact this office if you have any questions or concerns.

Sincerely,

John D. Carlson

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf

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MAR 19 1993

RECEIVED

JUL 31 1992

Department of Water Resources

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Day 966-2436

Name of Claimant William P. Helsley Jr. (801) 942-7871 Phone Number

Mailing Address 7777 So. Biscayne Dr. City Salt Lake City State Ut Zip 84121

County(s) where place of use is located Custer Date claim originally due See Merritt letter 12/28/89

Identify water right(s) for which extension is requested Stock Water Domestic for Home on Salmon River.

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

See Letter

Claimant requests an extension to Sept 1, 1992, 19 92

Signature William P. Helsley Jr. Date of request July 27, 1992, 19 92

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [☒] denied for the following reasons:

Original deadline was missed, letter from Merritt allowed about 1 year to correct legal descriptions.

and if granted the filing deadline is extended to _____, 19 _____

Signed this 10 day of August, 19 92

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

*yd C025337
8-28-92*

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MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Jul-1992 14:44

William P or Mary K Helsley, Jr
7777 S Biscayne Dr
Salt Lake City, UT 84121

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check #273 for \$25.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations.

The ORIGINAL DEADLINE for filing timely claims in CUSTER COUNTY was January 12, 1990. Since our records indicate you were sent notice of the first deadline to the above address on September 18, 1989, your claim is considered late and subject to the additional late fee listed below. THE DEADLINE ON THE RECENT CERTIFIED MAILING DOES NOT APPLY.

Additionally, in checking your claim it appears that the following items need clarification:

[]	Improper fee	Normal fee is	\$25.00
		Late fee is	50.00
		THE TOTAL FEE DUE IS \$75.00	

****PLEASE NOTE THAT DOMESTIC &/OR STOCKWATER CLAIMS MAY BE DEFERRED.**
PLEASE FIND ENCLOSED A BROCHURE WITH A MORE DETAILED EXPLANATION.

If you wish to continue your claim please make the necessary corrections and return your claim with the correct fee within 30 days and our office will process your claim. If you have any questions please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

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MAR 19 1993



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

William P. Helsley
7777 S. Biscayne Dr.
Salt Lake City, UT 84121

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 1742 for \$ 25.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- [] Item #2 Priority
- [X] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [X] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [] Improper fee (THE CORRECT FEE IS \$ _____)
- [] Other or Remarks

Please indicate 1/4 1/4
or south Lot.
Please find enclosed
map for your
assistance.

If you wish to continue to press your claim please find enclosed instructions and another claim form to use. If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

Deadline for Custer Co. 12/28/1989

BEFORE RETURNING THE CLAIM PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. Due to recent rulings by the court you may defer filing the claim if you so desire but it is recommended by the Department that you continue to press your claim. If you have any questions contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

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MAR 19 1993

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PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

*** C - CURRENT OWNER ***

HELSLEY JR

HELSLEY JR

WILLIAM P

1 - 7777 S BISCAYNE DR

2 -

3 -

CITY- SALT LAKE CITY

PHONE - 801-942-7871

1 - 7777 S BISCAYNE DR

2 -

3 -

CITY- SALT LAKE CITY

PHONE - 801-942-7871

MARY K

STATE- UT ZIP- 84121

PRIORITY DATE - - - +
05/03/1973

REGION - - - +
17 SOUTHERN

STAGE - - - +
J - BENEFICIAL USE

STATUS - - - +

SOURCE - - - +
GROUNDWATER

- - - +

TRIBUTARY - - - +

- - - +

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

11N 17E 30 SW SW (37) CUSTER

CODE DESCRIPTION PERIOD FROM PERIOD TO 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

TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

11N 17E 30 SW SW

43 DOMESTIC

(37) CUSTER

DIVERSION MEANS - 52'X6" WELL WITH 1HP PUMP, PIPES TO SHOP, GARAGE, HOUSE

NON-IRRIGATION USE - DOMESTIC, 1 HOME

OTHER RIGHTS FOR SAME USE - NONE

REMARKS - - - - -
NO REMARKS FOUND.

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

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

