

02/02/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-11078

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON K WETZEL
Current Owner	KATHERINE S WETZEL
	PO BOX 437
	BELLEVUE, ID 83313
Original Owner	ALBERTA DURHAM
Original Owner	GARLAND L DURHAM
	PO BOX 179
	HAILEY, ID 83333
	(208)788-4602

Priority Date: 04/01/1981
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

GROUND WATER SWSENE Sec. 01 Township 01N Range 18E BLAINE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	18E	1		SENE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PARCEL NO. 01N1800137C



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 2, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BYRON K WETZEL
KATHERINE S WETZEL
PO BOX 437
BELLEVUE ID 83313

RE: Decreed Water Right 37-11077, 37-11078
Change of Address Notification

Dear Water Right Holder:

Thank you for notifying us of your change in address on the water right referenced above. Our records have been updated accordingly.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED
FEB - 2 2001
Department of Water Resources
Southern Region

☐ Water Right Number(s): 37-11078, 211577

☐ Old Mailing Address: _____

☒ New Mailing Address: P.O. Box 437

BELLEVUE, IDAHO 83313

☐ New Telephone Number: (____) _____

☐ Signature of Claimant(s): Bryan W. J.

Katherine Metzger

Date: JAN. 30, 2001

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date: <u>1/24/01</u>	By: <u>2/2/01</u>
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date: <u>1/24/01</u>	By: <u>2/2/01</u>



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BYRON K WETZEL
KATHERINE S WETZEL
11035 HWY 75
HAILEY ID 83333

RE: Snake River Basin Adjudication (SRBA) Change of Address
Water Right No. A37-11077; 18078

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office at your earliest convenience. Make corrections to your name and address at the top of this letter if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership in any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Cheryl Timm
SRBA Records Clerk

The address is correct as shown above or as otherwise changed.

Signature of water right claimant(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-11078
BYRON K WETZEL
KATHERINE S WETZEL
PO BOX 2173
HAILEY ID 83333

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ5855NP
2152

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999
PAGE: 1

RIGHT NUMBER: 37-11078

NAME AND ADDRESS: BYRON K WETZEL
KATHERINE S WETZEL
PO BOX 2173
HAILEY ID 83333

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 04/01/1981

POINT OF DIVERSION T01N R18E S01 SWSENE Within BLAINE 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 BLAINE County
T01N R18E S01 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. 01N1800137C

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-24-1997

PAGE: A-628

RIGHT NUMBER: 37-11078

NAME & ADDRESS: BYRON K WETZEL
KATHERINE S WETZEL
PO BOX 2173
HAILEY ID 83333

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/01/1981

POINT OF DIVERSION: T01N R18E S01 SWSENE Within BLAINE 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 BLAINE County
T01N R18E S01 SENE

OTHER PROVISIONS 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. 01N1800137C

D 7-29-98

Claim proofread by: KT

Date: 11-03

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: **A37-11078**
Date Received: 8/23/1988
Receipt No: S001647
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BYRON K. WETZEL
Address: P.O. BOX 2173
HAILEY, ID 83333

AND/OR

Name: KATHERINE S. WETZEL
Address: P.O. BOX 2173
HAILEY, ID 83333

2. Date of Priority: APR 1, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	1	SW	SE	NE		BLAINE

5. Description of diverting works:
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	0.040		

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

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	1	SE NE		DOMEST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/12/91 BY JG.

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

Ident. Number: A37-11078
Date Received: 8/23/1988
Receipt No: S001647
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARLAND L. DURHAM 208-788-4602
Address: P.O. BOX 179
HAILEY, ID 83333

AND/OR
Name: ALBERTA DURHAM 208-788-4602
Address: P.O. BOX 179
HAILEY, ID 83333

2. Date of Priority: APR 01, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	1	SW	SE	NE		BLAINE

5. Description of diverting works:
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	0.040		

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

A37-11078

Page 1

Date: 08/23/88

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	1	SE NE		DOMEST	

11. Place of use in counties: BLAINE

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): Elberta Durham Date: 8-23-88
Date:

State of Idaho)
County of *TF*) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 88

Loni Wanta
Notary Public

Seal

Residing at TE

My Commission Expires 5/95

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FEB 25 1993



Sun Valley Title Co.

Drawer 2365
Ketchum, Idaho 83340

271 1st Avenue North
(208) 726-9341 FAX 726-7495

2/22/91

TO: Water Resources Board
222 Shoshone East
Twin Falls, ID 83301

Re: Our Order No. 22-10474
Wetzel/Durham

RECEIVED

FEB 26 1991

Department of Water Resources
Southern Region Office

Please find enclosed the following documents relative to the above referenced order:

- | | |
|---|--|
| ☐ Original Note | ☐ Commitment for Title Insurance |
| ☐ Copy of Note | ☐ Date Down Endorsement |
| ☐ Original Deed of Trust | ☐ Policy of Title Insurance |
| ☐ Copy of Deed of Trust | ☐ TG or LG Guarantee |
| ☐ Original Warranty Deed | ☐ Notice of Default |
| ☒ Copy of Warranty Deed | ☐ Affidavit of Posting/Service by Mail |
| ☐ Original Quitclaim Deed | ☐ Affidavit of Posting/Service |
| ☐ Copy of Quitclaim Deed | ☐ Affidavit of Publication |
| ☐ HUD Statement | ☐ Original Trustee's Deed |
| ☐ Closing Statement | ☐ Lot Book Report |
| ☐ Tax Notice | ☐ Billing Invoice |
| ☐ Escrow Instructions | ☐ Original Assignment/Deed of Trust |
| ☐ Commission Order | ☐ Copy of Restrictions |
| ☐ Hazard Insurance | ☐ Copy of Plat |
| ☐ Check No. _____ for \$ _____ | ☐ Deed of Reconveyance |
| ☐ Loan Closing Package | ☒ Copy of Receipt for Water Adjudication Fee |

Please change the name on the water adjudication per the attached warranty deed.
If you have any questions, please call me at (208) 788-4319.

Very truly yours,

SUN VALLEY TITLE COMPANY

BY Carolyn Baird
Carolyn Baird

MICROFILMED
FEB 25 1993



WARRANTY DEED

RECEIVED

For Value Received

ALBERTA JOYCE DURHAM, a widow

the grantor, do hereby grant, bargain, sell and convey unto

BYRON K. WETZEL and KATHERINE S. WETZEL, husband and wife

FEB 26 1991
Department of Water Resources
Southern Region Office

the grantee s, whose current address is Box 2173, Hailey, ID 83333

the following described premises, in Blaine County, Idaho, to-wit:

TOWNSHIP 1 NORTH OF RANGE 18 EAST of the BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: A parcel of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as follows:

Commencing at the N $\frac{1}{4}$ corner of said Section 1, thence S. 89°57'30" E. along the North line of said Section 1, 195.82 feet to the Easterly right-of-way boundary of U. S. Highway 93; thence S. 18°47'00" E., 2,997.60 feet along the Easterly boundary of U. S. Highway 93 to the Real Point of Beginning; thence N. 71°13'00" E., 269.00 feet to the centerline of a canal; thence S. 0°42'09" W., 206.85 feet along said centerline; thence S. 71°13'00" W., 200.00 feet to the East boundary of U. S. Highway 93; thence N. 18°47'00" W., 195.90 feet along the East boundary of U. S. Highway 93 to the True Point of Beginning.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that s he is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: February 19, 1991

Alberta Joyce Durham
X Alberta Joyce Durham

STATE OF IDAHO
COUNTY OF Blaine } ss

On this 21st day of February, in the year 19 91, before me, a Notary Public, personally appeared Alberta Joyce Durham known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Carolyn Baird
Notary Public

Residing at Hailey, Idaho.My commission expires 3-14-91

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy

Fees \$
Mail to:

INSTRUMENT No.

Chicago Title Insurance
Company of IdahoMICROFILMED
FEB 25 1993

SD-36	Township: 01N	Range: 18E	Section: 1	Tract:	Lot:
S	L	STATE	O	S	Max # Records 84
E	O	Water	Name	T	Priority Use
L	Tract T	Right No.	Last, First	N	AC G Date Code Desc
---	---	-----	-----	---	---
---	SWNE	A37-00113P	NORTHWESTERN & PACIFIC	C	3 D 07/10/1884
---	SWNE	A37-12094	MC MAINS, CHARLES	C	J 08/17/1977 43 DOMEST
---			MC MAINS, HELEN	C	
---	SWNE	A37-00480	MILLER, ANNIE I.	C	D 06/15/1891 01 IRR
---	SWNE	A37-12691	LARSEN, DWAIN R.	C	J 12/31/1972 43 DOMEST
---					04 STOCK
---	SWNE	A37-00113A	HARRIS, ANNIE I.	C	07/10/1884 01 IRR
---			SPLIT RIGHT	C	
---			BULLER, R. F.	O	
---			BULLER, ROSA B.	O	
---			NORTHWESTERN & PACIFIC	O	
---	SENE	A37-11077	DURHAM, GARLAND L.	C	J 01/01/1972 43 DOMEST
---			DURHAM, ALBERTA	C	
---	SENE	A37-11078	DURHAM, GARLAND L.	C	J 04/01/1981 43 DOMEST
---			DURHAM, ALBERTA	C	
---	SENE	A37-00482C	WESTERN OUTFITTERS INC	C	20 D 08/01/1884 01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Jun-1991 14:39

Carolyn Baird
SUN VALLEY TITLE CO.
271 271 1st Ave North
Ketchum, ID 83340

Re: Change of Ownership Adjudication Claim A37-11077, 11078 -
Durham, Garland

Dear Ms. Baird:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim, the Department has changed the record(s) of the current owner as you requested. I am enclosing a copy of the computerized claim.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
FEB 25 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-11078

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
OWNERSHIP CHANGE 6/12/91 BY JG.

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

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

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 08/23/88 WHITE 10/03/89 REFUNDML 06/12/91 GIVENS

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 08/23/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S001647	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

01N1800137C

DATA ENTRY

ENTERED 10-27-93

CHECKED 12/5/93

"Verified By"
Topo Map/Catchment-PQ
ASCP Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 18 1992

CERTIFIED
MAR 25 1992
WATER EXAMINER