

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS
02 1A \$ 00.1
0004389393 FEB 02
MAILED FROM ZIP CODE 8

RECEIVED
FEB 08 2007
WATER RESOURCES
WESTERN REGION

ATTEMPTED,
NOT KNOWN
ANK

HELEN L WELLS
1410 FAIRVIEW AVE
[REDACTED]

63-8358

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
POSTAGE
02 1A \$ 01
0004310839 OCT
MAILED FROM ZIP CODE

ATTEMPTED,
NOT KNOWN

ANK-1

HELEN L WELLS
1110 FAIRVIEW AVE

RECEIVED

OCT 16 2003

WATER RESOURCES
WESTERN REGION

63-8358

06/20/2006

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

RIGHT NUMBER: 63-8358

NAME AND ADDRESS: HELEN L WELLS
1410 FAIRVIEW AVE
FRUITLAND ID 83619

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 08/13/1976

POINT OF DIVERSION:

T07N R05W S21 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS
1.20 AFY

PLACE OF USE: DOMESTIC Within PAYETTE County

T07N R05W S21 SESE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8358 Priority August 13, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that ELLIS C. &/or HELEN L. WELLS
of Fruitland, Idaho, has complied with the terms and conditions of Permit
No. 63-8358 issued pursuant to Application for Permit dated August 13, 1976,
and has submitted proof to the Department of Water Resources on September 30, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from Jan. 1 to Dec. 31	at _____ cfs and	1.2 acre feet
	from _____	_____ cfs and	
	from _____ (both dates inclusive)	_____ cfs and	

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is titled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within SE 1/4 of Sec. 21
Twp. 7 N, Rge. 5 W, B. M. in the county of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7 N	5 W	21													X

_____ acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and pursuant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
November, 19 76.

Director

Identification No. _____
Application No. 63-8358

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Ellis C. &/or Helen L. Wells Phone: 452-4574
post office address Route # 1, Box 184 C, Fruitland, ID 83619
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 7 N
Range 5 W B.M. Payette County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 93 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 7 N
Range 5 W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

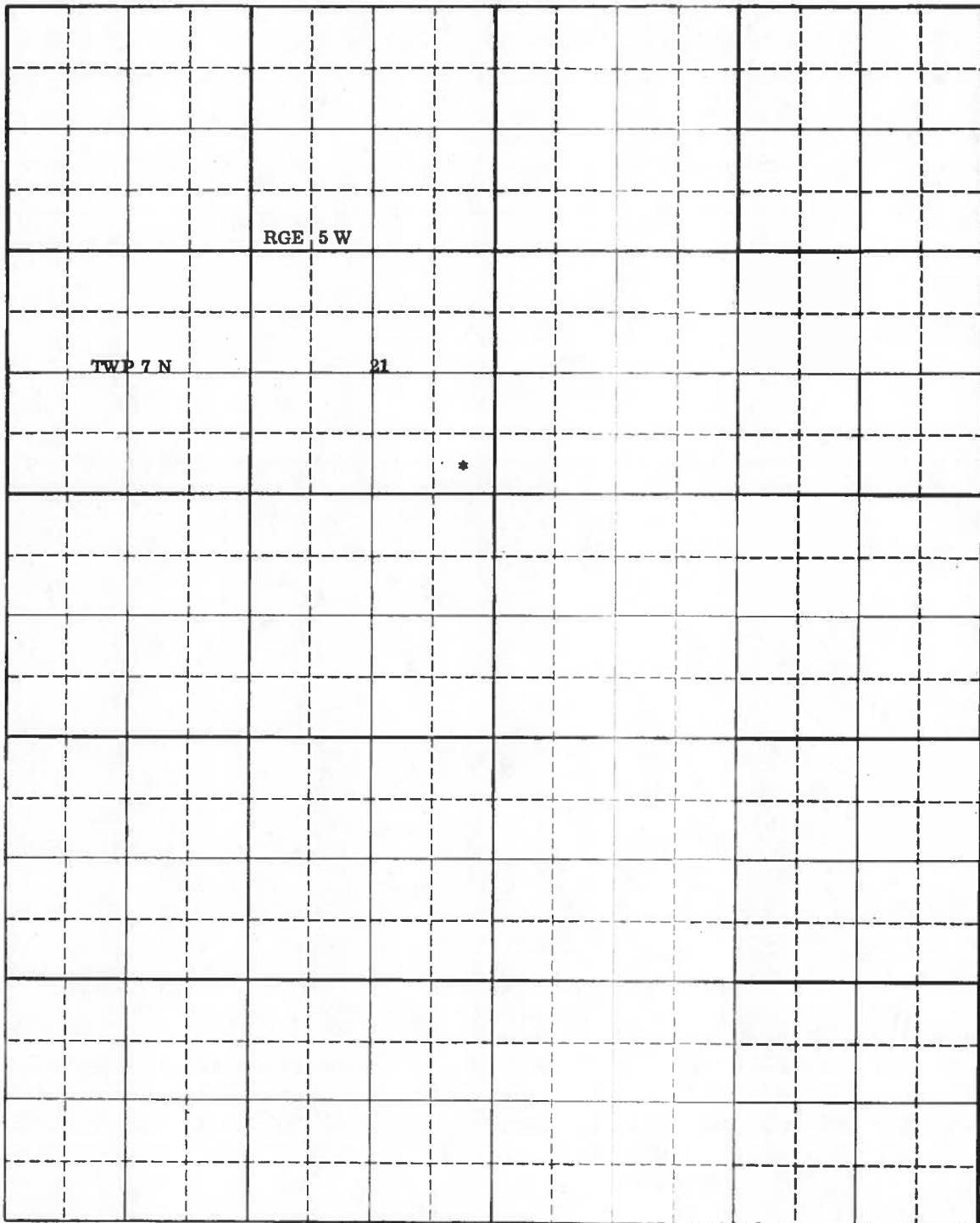
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ellis C. Wells
(Applicant)

Proposed Priority 8-13-76

Received by AK Date 8-13-76 Time 11:00 am

Preliminary check by AK Fee \$ 10.00

Received by 76 Date 8-13-76 Receipt # 5360

Publication prepared by EB Date 8-20-76

Published in Independent Enterprise

Publication dates Aug 26 + Sept 2

Publication approved AF Date 9-10-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 744 PDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8358, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1977.
- Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 24 day of September 1976.

R. Keith Higgins
Director

OCT 2. 1951

1. Name of permit holder Ellis C. &/or Helen L. Wells Department of Water Resources
Post office address Rt. 1, Box 184C, Fruitland, ID 83619 Phone 452-4574
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____ (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (1)
 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use) _____

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7N N/S, Range 5W E/W, B.M., Section 21, Subdivision SE 1/4 SE 1/4, Payette County

Township _____ N/S, Range _____ E/W, B.M., Section _____ Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____ Subdivision _____ 1/4 _____ 1/4 _____
County _____
County _____

Other Points of Diversions: _____

Description of diverting works: well and 1/2 hp submersible pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE

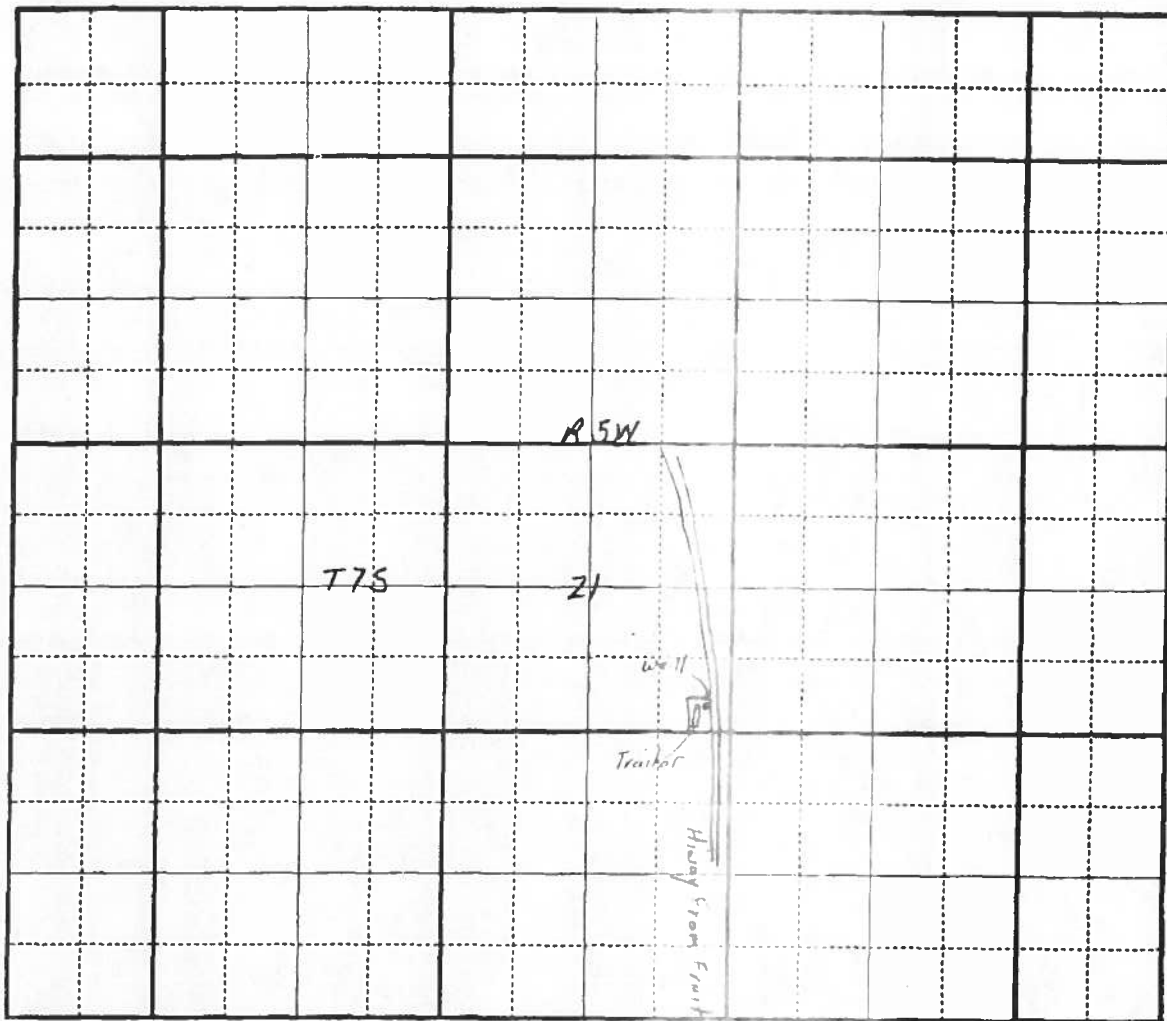


Diagram of System

DATE OF EXAM 10/21/76

ACREAGE
Found 0
Recommended 0

Irrigation Requirement 0 Ac Ft/Ac

USE
Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = 0.4 c.f.s. V = 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured 0.4 cfs Method of measurement

Total Q recommended 0.4 cfs Meter No. Type Condition

Total V recommended 1.2 cfs

Recommended Amendments:

P.D.
Place of Use
Other
None None

MEASUREMENT CALCULATION:

Est. 0.04 cfs

SYSTEM DESCRIPTION:

6" well with 1/2 sub pump don't know depth serving
one family in small trailer house

REMARKS:

Small lawn & garden being watered

Examiner's Signature J. L. Shiao Date 10/25/76

Checked by YH Date 10-25-76

Approved by Date

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8358

WATER RIGHT NUMBER: 63-8358

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN L WELLS 1410 FAIRVIEW AVE FRUITLAND, ID 83619 (208)452-4574
Current Owner	ELLIS C WELLS FRUITLAND, ID

Priority Date: 08/13/1976

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	1.20 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 21, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	21																	X

Conditions of Approval:Remarks:Comments:

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: A63-08358
Date Received: 4/11/1990
Receipt No: W011884
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN L WELLS 208-452-4574
Address: 1410 FAIRVIEW AVE
FRUITLAND ID 83619

2. Date of Priority: AUG 13, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	21	SE	SE	SE		PAYETTE

5. Description of diverting works:
WELL AND 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:
ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	21	SE	SE		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
BLACK CANYON IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: LICENSE

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. A63-0835-8Date Received 4-11-90Receipt Number W011884

BAS

RECEIVED

APR 11 1990

NOTICE OF CLAIM
TO A
WATER RIGHTDepartment of Water Resources
Western Regional OfficeACQUIRED 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) Helen L. Wells Phone (208) 452-4574
Mailing Address 1410 Fairview Ave., Fruitland, Idaho Zip 836192. Date of Priority (Only one per claim) August 13, 1976 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 7N Range 5W
Section 21, 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
County of Payette

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 and Pump

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

For Domestic purposes from Jan. 1 to Dec. 31 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) one householdMICROFILMED
OCT 08 1996

10. Place of use is: Township: 7N Range 5W
Section 21, SE 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? Payette
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 Black Canyon Irrigation District.
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 63-8358

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 ☒ 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) Helen L Wells Date 4-9-90

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 Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 9 day of April 19 90

SEAL

Notary Public Bruce A. [Signature]

Residing at Boise, ID

My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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OCT 08 1996

12-1-92

ADJUDICATION CLAIM REVIEW CHECKLIST

CLAIMANT'S NAME Wells, HelenCLAIM IDENT. NO. AC-3-8358DATE RECEIVED 4-11-90 RECEIPT # W11884 FEE PAID \$ 25 FEE REQ'D \$ _____

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? ☒ *			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated? N/A	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. 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.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	☒	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	☐	☐	*
22. Is the fee enclosed correct? Exempt	☐	☐	*

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OCT 18 1990

	YES	NO
23. Is this claim being rejected and returned to claimant?	☐	☒
24. Can this claim be data entered?	☒	☐
25. Was claim modified?	☐	☒
If yes, do modifications require notification to claimant?		
Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: LRW Date 7-18-94
Claim data entered by: LRW Date 7-18-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____
