

08/14/2003

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

RIGHT NUMBER: 27-10757

NAME AND ADDRESS: LAVETA WILLYERD
651 E 600 N
FIRTH ID 83236

VIRGEL WILLYERD
651 E 600 N
FIRTH ID 83236

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1977

POINT OF DIVERSION:

T02S R37E S6 NWNWNE Lot 2 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T02S R37E S06 Lot 2 NWNE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

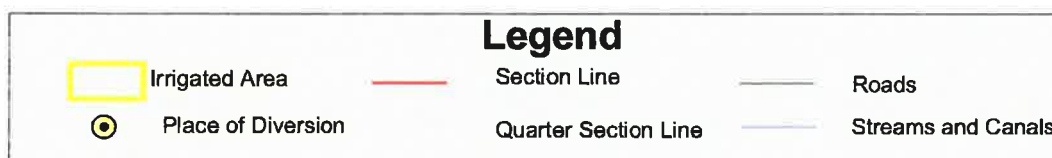
EXPLANATORY MATERIAL: Beneficial Use

SCANNED
MAY 25 2006

PROFILED

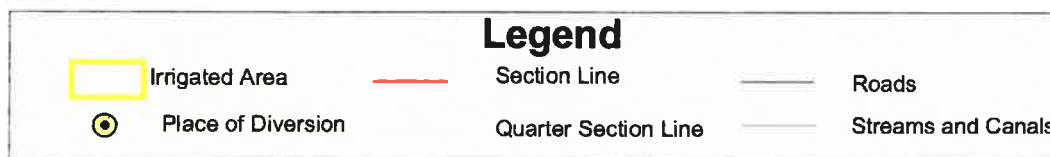
Water Right Claim Number 27-10757
Township , 2S37E

11/20/2000



Water Right Claim Number 27-10757
Township , 2S37E

11/20/2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED

MAR 09 2006

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2006

VIRGEL AND LAVETA WILLYERD
850 LINCOLN DR APT 211
IDAHO FALLS ID 83401-4925

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #27-10757

*Record updated
NCAP prepared
3-10-06-MS*

Dear Claimants:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. 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.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by March 20, 2006. 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. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Virgel Willyerd
Water Right Holder's Signature

528-5029

Telephone No.

This property is listed for sale, but not yet sold

SCANNED

MAR 10 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

27-10757

LAVETA WILLYERD

VIRGEL L WILLYERD
651 E 600 N
FIRTH ID 83

1-400-607-53236

PRESORTED
FIRST CLASS



02 1A
0004389390
MAILED FROM ZIP CODE 83702

\$ 00.29³
JAN 27 2006

RECEIVED

FEB 03 2006

DEPARTMENT OF
WATER RESOURCES

WILL651 832362022 1205 06 02/01/06
RETURN TO SENDER
WILLYERD
850 LINCOLN DR APT 211
IDAHO FALLS ID 83401-4925
RETURN TO SENDER



Notes

5/19/03 phone discussion with Laveta Willyerd. Laveta didn't know where the June 1, 1946 priority date came from because they built a new home in April 1977. So, I'm going to move the priority date for the domestic portion to 4-1-1977.

I've sent them an Application for permit to claim the irrigation portion of this right since it was developed after May 1963.

✓ Name spelling correction Virgil Willyerd
NOT VERGEL.

✓ recommend domestic only. 0:04/cbs.

8/14/03 Corrected POD to match claim. photos
Map with claim plus changes made by the
claimant are more convincing than the PLS on
the claim map is more correct than the
Spatial Dynamics work. "Amended" claim will
be used. ~~Shiff~~ 8/14/03

PROFILED

SCANNED

MAY 25 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 19, 2003

Vergel and Laveta Willyerd
651 East 600 North
Firth, ID 83236

REF: Snake River Basin Adjudication Claim
A27-10757

Subject: Irrigation well added to the system.

Dear Mr. and Mrs. Willyerd;

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice of Claim number identified above claimed a June 1, 1946 priority date for the domestic and irrigation system. A domestic well allows for the irrigation of up to one-half acre, stock and in home use. The evidence submitted to the Department for the irrigation well states that it was drilled in 1983. As of March 25, 1963 a right to ground water can be obtained on by compliance with the application, permit and licensing procedure established by statute, Idaho Code 42-229. The one exception to this rule is the water rights for domestic purpose can still be established by beneficial use, Idaho Code 42-227.

Per our conversation today, you stated that your home was built in April of 1977. As I stated on the phone the domestic priority date will be April 1, 1977. If you want to claim the original date for the home you will need to file evidence of priority.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required as suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What kind of Evidence is required" and "Some examples of Documents Which May Be Evidence of the Priority".

I have also enclosed an application for permit for the irrigation well you drilled in 1983. To process the application for permit you will need to establish the priority date prior to 1987. I've also enclosed a copy of the evidence that was submitted the Adjudication Bureau for your use. The filing fee and the Eastern Idaho Regional Office's address are

listed on the back page of the Instruction sheet. The Application for Permit if processed will have a 2003 priority date. As I explained this will have to be advertised in the local newspaper for 2 weeks. This process allows public notification of the irrigation well and is open for public comment during that time.

If you have any further questions on the Application for Permit, please call the Eastern Regional Office at 525-7161. Any questions that you have on your domestic claim in the Adjudication please feel free to contact me at 547-3993.

Sincerely;

A handwritten signature in cursive script that reads "Cindy E Bird".

Cindy E. Bird
Adjudication Bureau

Enclosed: Evidence of Priority Brochure
Notice of Claim proof report.
Application for Permit, form 202
Instruction for Application for Permit, form 1-202 July 2000
Copy of Evidence for the irrigation well.

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 10757

POD ID 158241

Folder No. A2710757

Claim Status In Use

IDTMEAST 648592

IDTMNORTH 244044

GPSID A0011998

Diversion Description

TWO WELLS-CULINARY WELL 65', IRR. WELL 100'. SUBMERSIBLE PUMPS. POD located in Northwest corner of yard.

Assumptions

Horse power, pressure head, and elevation head.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\27-10757-001.JPG photos\27-10757-003.JPG

Photos

photos\27-10757-002.JPG photos\27-10757-004.JPG

GPS Accuracy (ft)

19 Feet

Date (M/D/Y)

07-24-02

Time

15:25

Flow Rate (CFS)

0.05

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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FOLDER NO. A2710757

SCANNED

JUL 20 2000

Log for claim 27-10757

Spatial Dynamics BTD

11/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s37e	6	NENW	1	1.5	
Totals:			1	1.5	

AJ5809NP
No. A27-10757

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 92

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VERGEL WILLYERD	06/01/1946	IRRIGATION	04-01 11-01	0.030 CFS	
C	LAVETA WILLYERD		DOMESTIC	01-01 12-31	0.040 CFS	
	651 E 600 N					
	FIRTH ID 83236					
	(208) 346-6225					
				TOTAL DIVERSION:	0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R37E S06 NENENW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
02S	37E	6	:	:	01	:	:	:	:	:	:	:	:	1.0		
													TOTAL ACRES	1.0		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
02S	37E	6	:	:	D	:	:	:	:	:	:	:	:			

POU County: BINGHAM

Non-Irrigation Uses: ONE HOME

Other Rights: SHARES IN SNAKE RIVER IRRIGATION FOR LAWN/GARDEN IRR. IF NEEDED.

Other Water Rights Listing Overlapping Place(s) of Use:

A27-07011 A27-11248

Remarks: GEN IRRIGATION WELL, NEW WELL WAS ADDED TO SYSTEM IN 1983.
IRRIGATION IS OF LAWN AND GARDEN IN CONJUNCTION WITH HOME.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/23/89 VERNER 03/29/95 POST-STD

State Of Idaho Dept. Of Water Resources
Gentelmen;

In response to your request for evidence of priority I submit
the following;

description of proprty T2S R37E SEC.06 T7873 This is a well
for watering the yard and garden. The drilling was finished
April 8, 1983. I did not get a reciept from the well driller
but heve the canceled check, a copy of which is included below.

GRANDVIEW RANCH		469
518-20-2361		
ROUTE 1 BOX 270 346-6225		
FIRTH, IDAHO 83236		
Pay to the order of	<i>Barrus Drilling</i>	4/8 1983 92-41/1241
		\$1003.00
	<i>One thousand Three hundred no/100</i>	Dollars
SHELLEY OFFICE		
THE BANK of commerce		ENDORSEMENT MISSING *
SHELLEY, IDAHO 83274		
For	<i>well drilling</i>	<i>V.T. Willyerd</i>
⑆124100417⑆ ⑆48640002 5⑆ 0669 ⑆0000100300⑆		

REC'D

13 1995
Department of Water Resources
Eastern District Office

Yours Truly
Virgil Willyerd
151 E. 100 N.
Firth ID 83236
MICROFILMED
NOV 13 1996

SCANNED

JUL 20 2001

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: A27-10757
Date Received: 5/23/1989
Receipt No: 6007808
Received By: SSW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: *Virgel* ~~VERGEL~~ WILLYERD
Address: 651 E. 600 N.
FIRTH, ID

208-346-6225

83236

OR

Name: LAVETA WILLYERD
Address: 651 E. 600 N.
FIRTH, ID

208-346-6225

83236

2. Date of Priority: ~~JUN 01, 1946~~

April 1, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

L.P.W.
Township Range Section 1/4 of 1/4 of 1/4 Lot County
02S 37E 6 ~~NE~~ ~~NE~~ ~~NW~~ 02 BINGHAM
~~NW NE~~

5. Description of diverting works:

TWO WELLS-CULINARY WELL 65', IRR. WELL 100'. SUBMERSIBLE PUMPS

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		
~~IRRIGATION~~	~~04/01~~	~~11/01~~	~~0.030~~		

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 HOME

A27-10757

Page 1

Date: 05/23/89

MICROFILMED

NOV 12 1992

A2710757



10. Place of Use:

V.L.W.

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	37E	6	~~NE-NW~~ ~~NW-NE~~		DOMEST	
			~~NE-NW~~ ~~NW-NE~~		~~IRR~~	~~1.0~~
Section Acres						~~1.0~~
Total Acres						~~1.0~~

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

SHARES IN SNAKE RIVER IRRIGATION FOR LAWN/GARDEN IRR. IF NEEDED.

14. Remarks:

IRRIGATION WELL, NEW WELL WAS ADDED TO SYSTEM IN 1983.
IRRIGATION IS OF LAWN AND GARDEN IN CONJUNCTION WITH HOME.

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: 1

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): Virgil Wilbyerd Date:
Date: 5-23-89

State of Idaho)
County of Bonneville) SS.

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

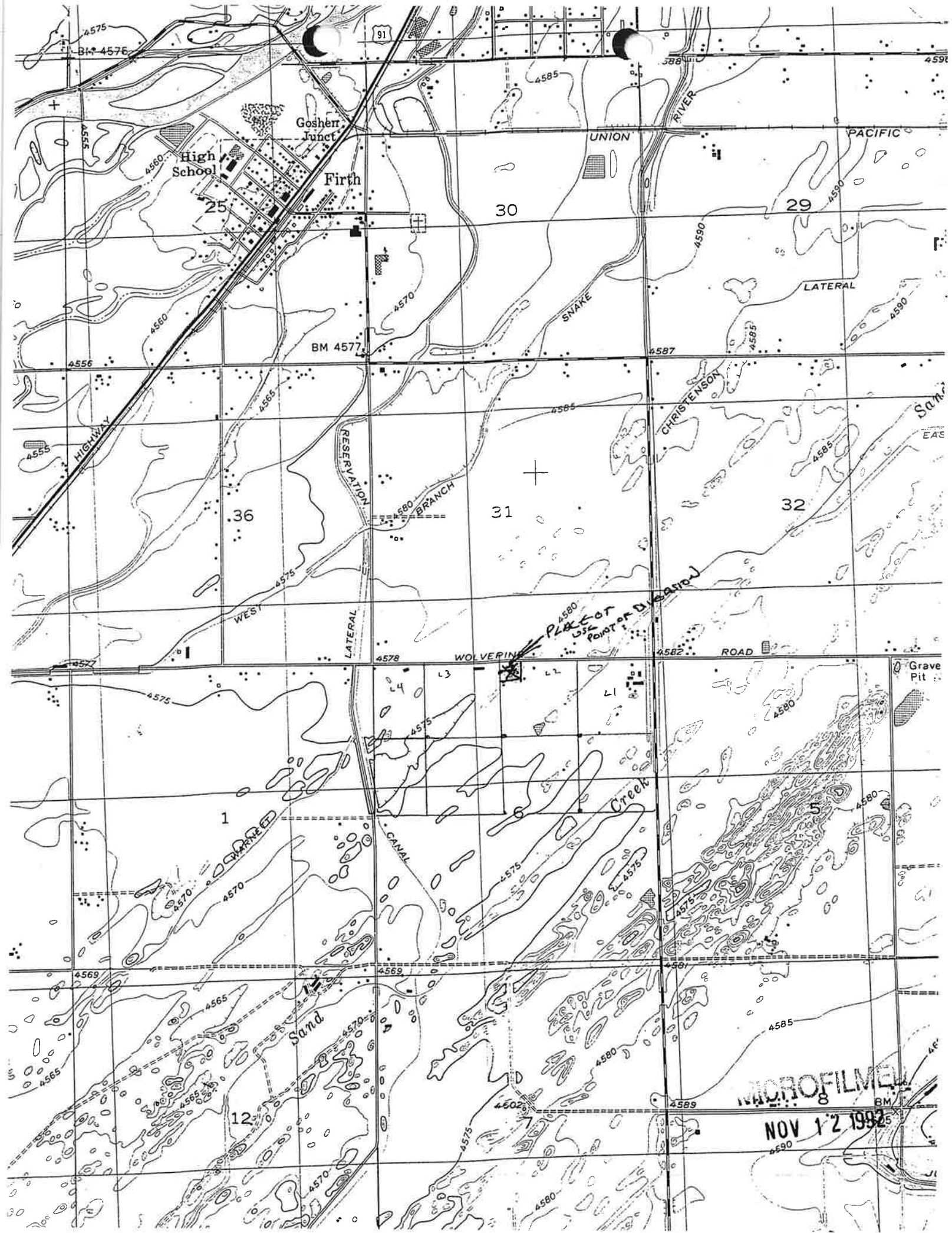
of May 19 89

Seal

[Signature]
Notary Public

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994



JUL 20 2001

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: A27-10757
Date Received: 5/23/1989
Receipt No: 6007808
Received By: SSW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERGEL WILLYERD 208-346-6225
Address: 651 E. 600 N.
FIRTH, ID 83236

OR

Name: LAVETA WILLYERD 208-346-6225
Address: 651 E. 600 N.
FIRTH, ID 83236

2. Date of Priority: JUN 01, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
02S 37E 6 ~~NE~~ ~~NE~~ ~~NW~~ 02 BINGHAM
NW NW NE

5. Description of diverting works:

TWO WELLS-CULINARY WELL 65', IRR. WELL 100'. SUBMERSIBLE PUMPS

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8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

ONE HOME

A27-10757

Page 1

Date: 05/23/89

MICROFILMED

NOV 12 1992

A2710757



10. Place of Use:

V.L.W.

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	37E	6	NE-NW NW NE		DOMEST	
			NE-NW NW NE		IRR	1.0
				Section Acres		1.0
				Total Acres		1.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

SHARES IN SNAKE RIVER IRRIGATION FOR LAWN/GARDEN IRR. IF NEEDED.

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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: 1

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: _____

Virgil Wilbyerd

Date: 5-23-89

State of Idaho)

County of Bonneville) SS.

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

of May 19 89

Seal

[Signature]
Notary Public

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994

