

06/28/2005

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

RIGHT NUMBER: 27-11192
NAME AND ADDRESS: WILLIAM WISSERT
579 W 200 S
BLACKFOOT ID 83221

WINONA WISSERT
579 W 200 S
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

COPY

QUANTITY: 0.040 CFS
1.20 AFY

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

PRIORITY DATE: 01/01/1910

POINT OF DIVERSION:

T03S R35E S18 NENWNW Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS
		1.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County
T03S R35E S18 Lot 1 NWNW 0.3
DOMESTIC Within BINGHAM County
T03S R35E S18 Lot 1 NWNW

0.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 - Beneficial Use

01/13/2004

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

RIGHT NUMBER: 27-11192

NAME AND ADDRESS: WILLIAM WISSERT
579 W 200 S
BLACKFOOT ID 83221

WINONA WISSERT
579 W 200 S
BLACKFOOT ID 83221

SOURCE: GROUND WATER

QUANTITY: 0.060 CFS

PRIORITY DATE: 04/01/1964

POINT OF DIVERSION:

T03S R35E S18 NENWNW Lot 1 Within BINGHAM County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
~~IRRIGATION~~	~~04/01 10/31~~	~~0.024 CFS~~
		4.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

~~T03S R35E S18 NENW 0.9 T03S R35E S18 Lot 1 NWNW 0.3~~

DOMESTIC Within BINGHAM County

T03S R35E S18 Lot 1 NWNW

Home built in 1910

RP0370402

1.2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

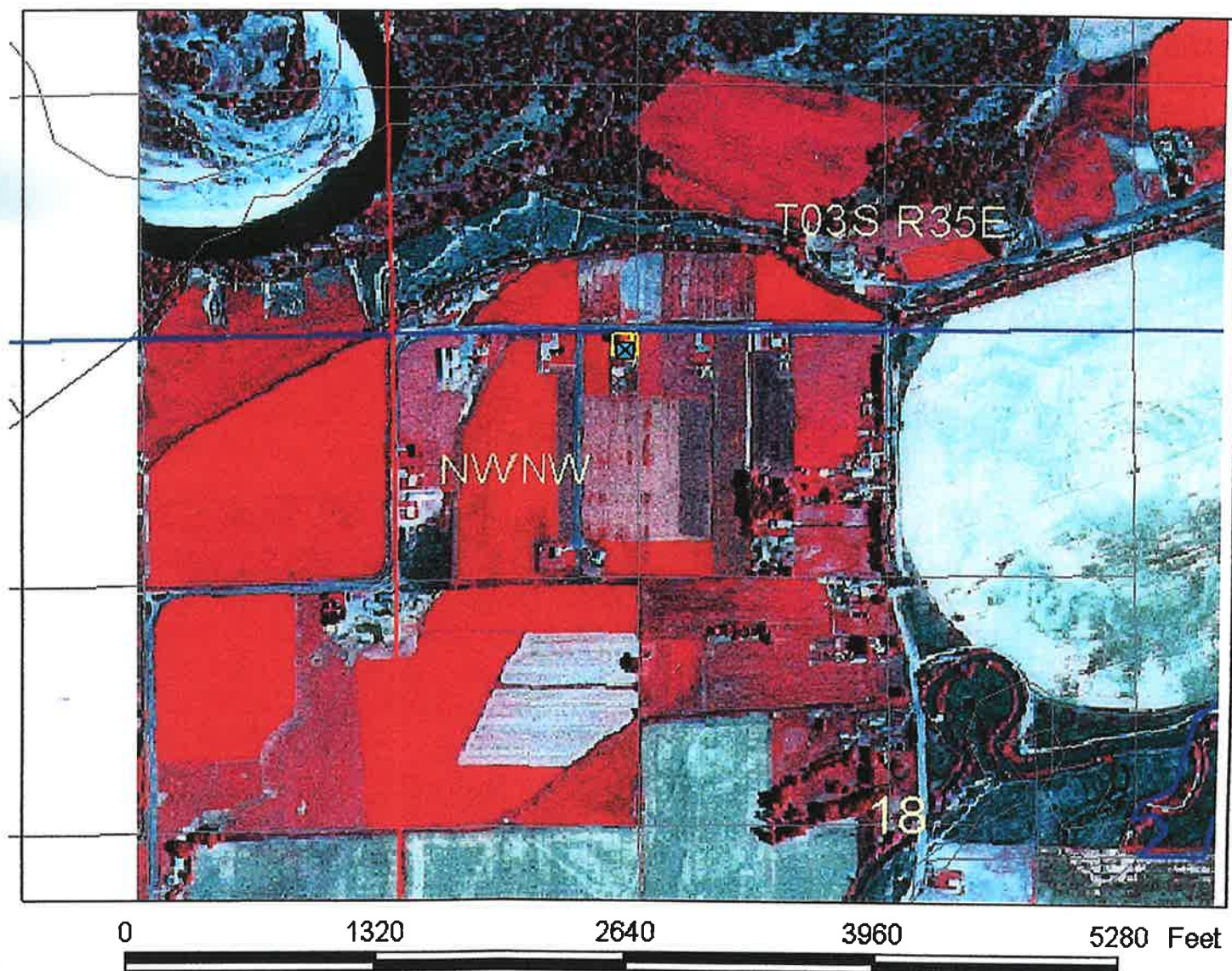
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: **Beneficial Use**

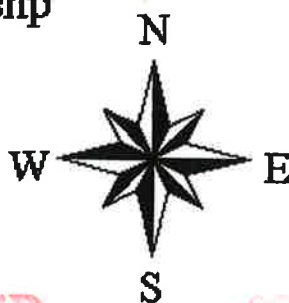
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Idaho Department of Water Resources

Claim No.: 27-11192



- Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



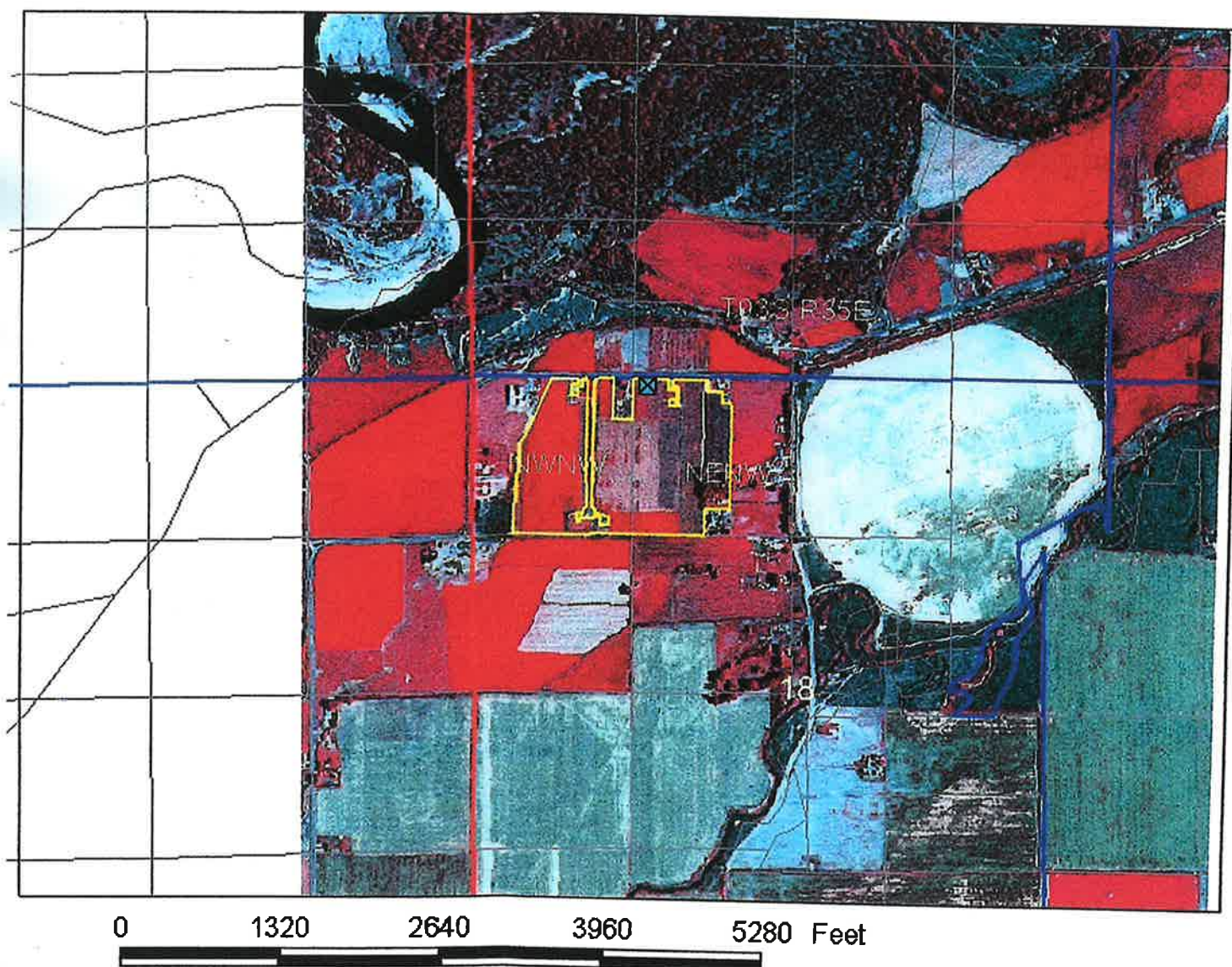
1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: June 2005

PROFILED

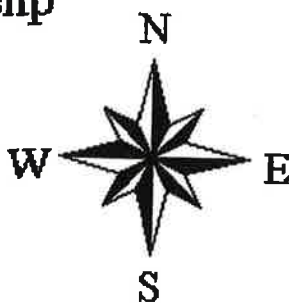
SCANNED
MAY 25 2006

Idaho Department of Water Resources

Claim No.: 27-7006



- ☒ Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: June 2005



STATE OF IDAHO

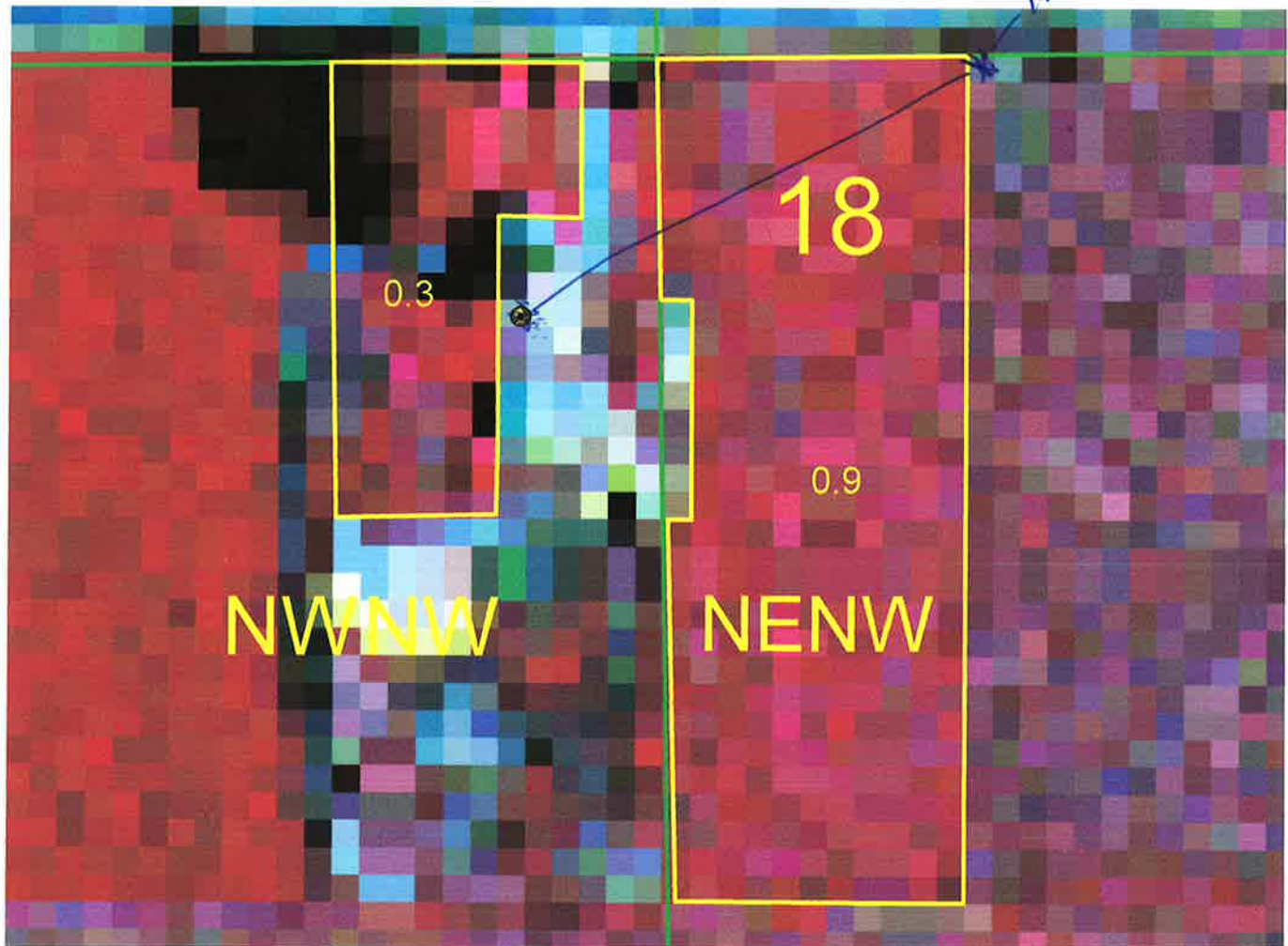
Department of Water Resources

Eastern Region



Water Right(s) 27-11192

Ref well.



60 0 60 120 Feet

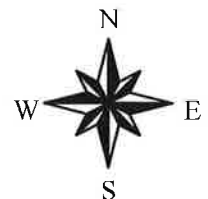
IRRIGATED ACRES 1.2

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 18, NENW, NWNW.

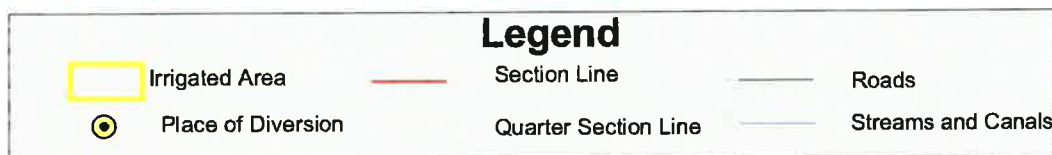
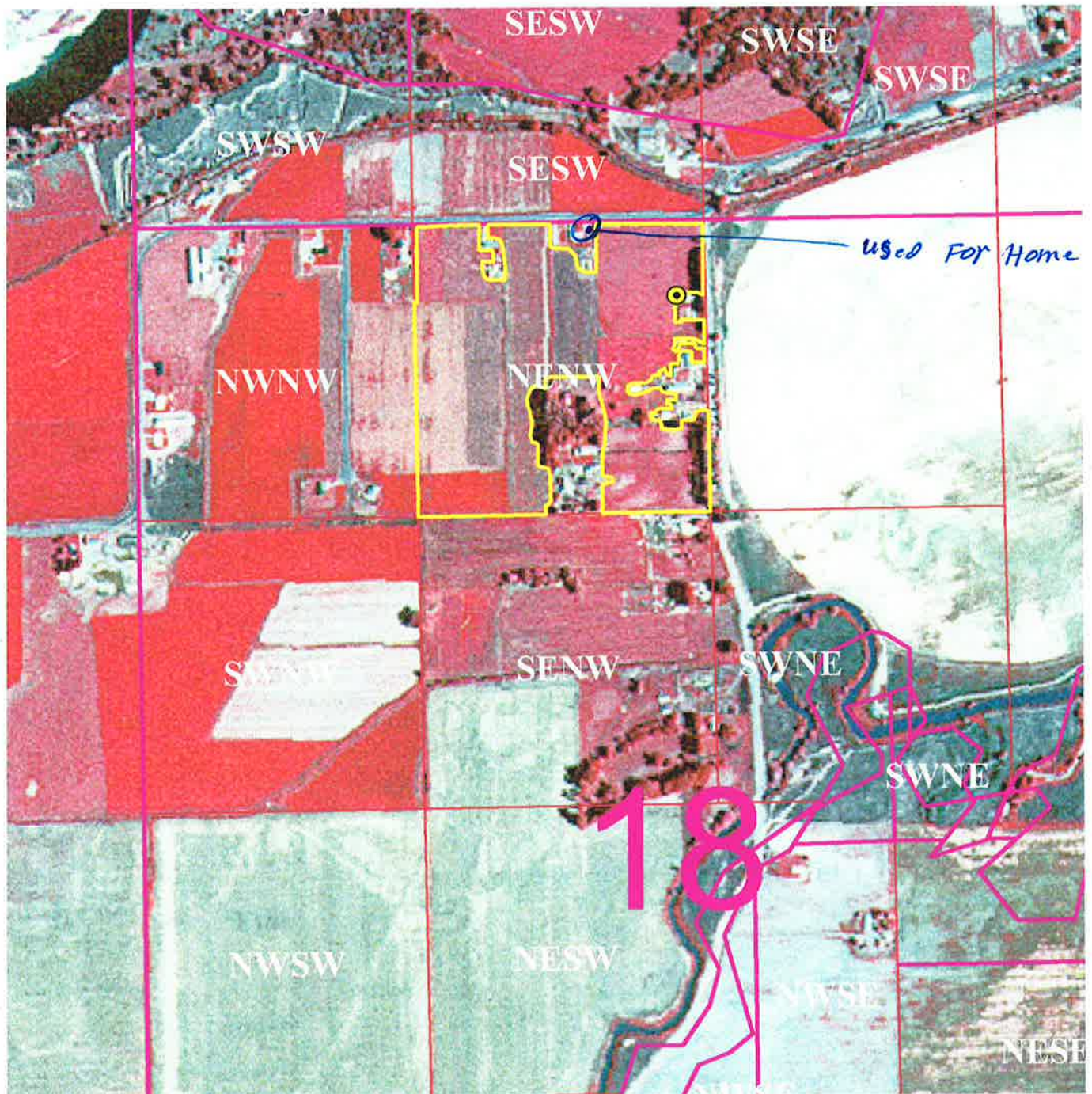
Point(s) of Diversion: T3S, R35E:
Sec. 18, NENWNW.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: January 2004

Water Right Claim Number 27-11192
Township , 3S35E

01/05/2001

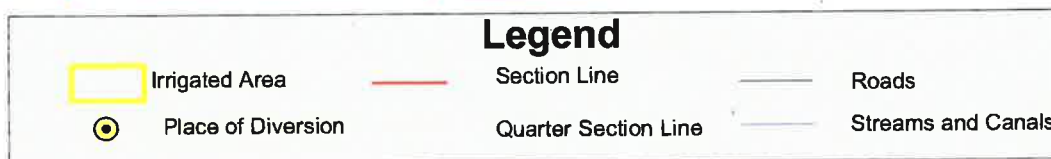
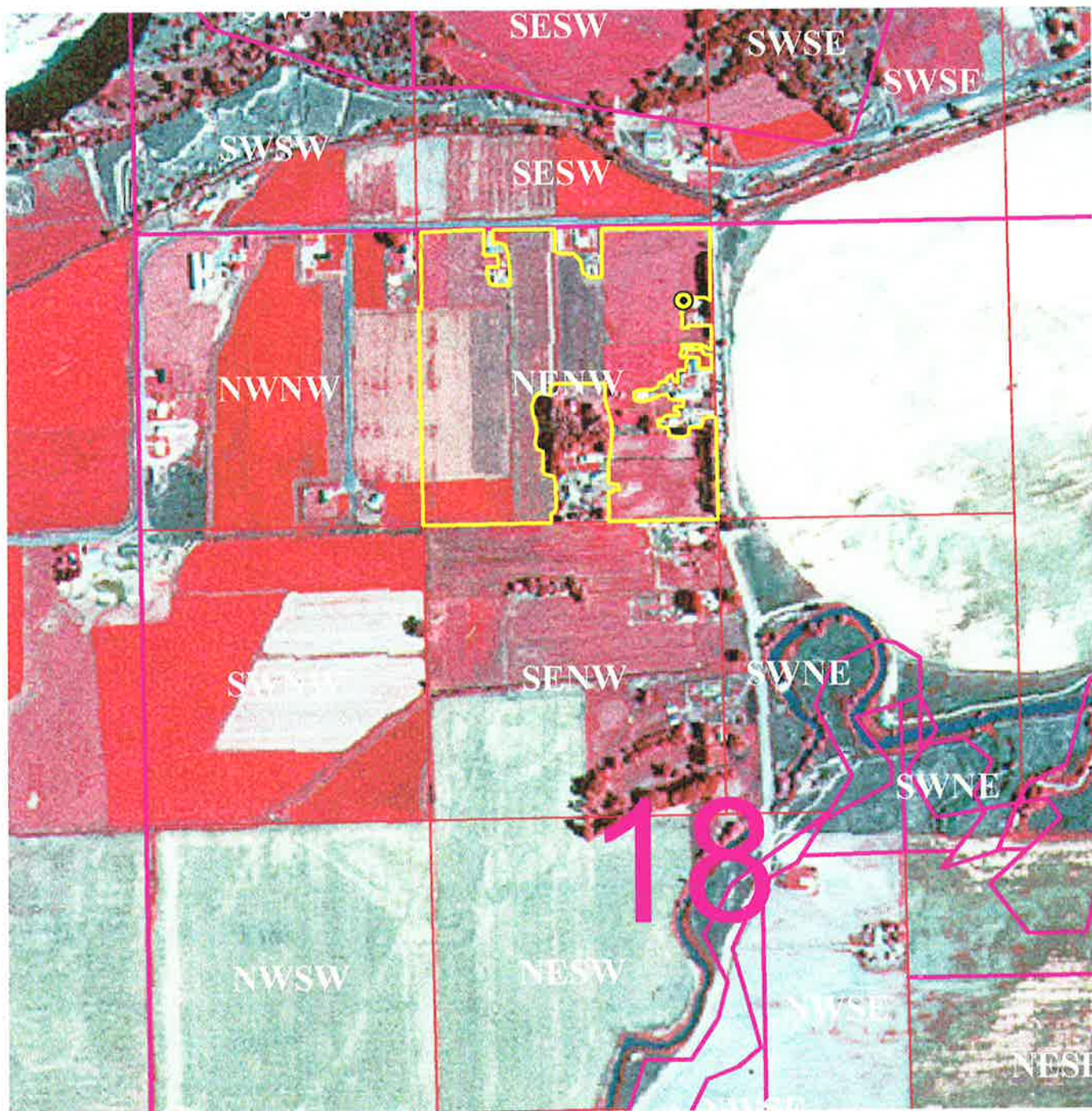


400 0 400 800 Feet



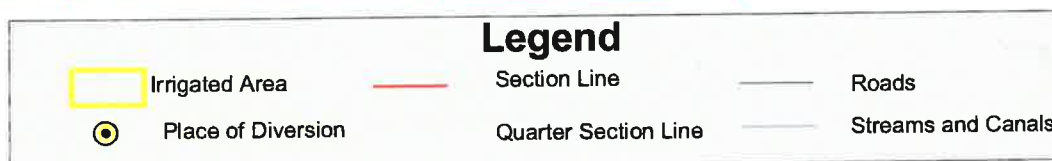
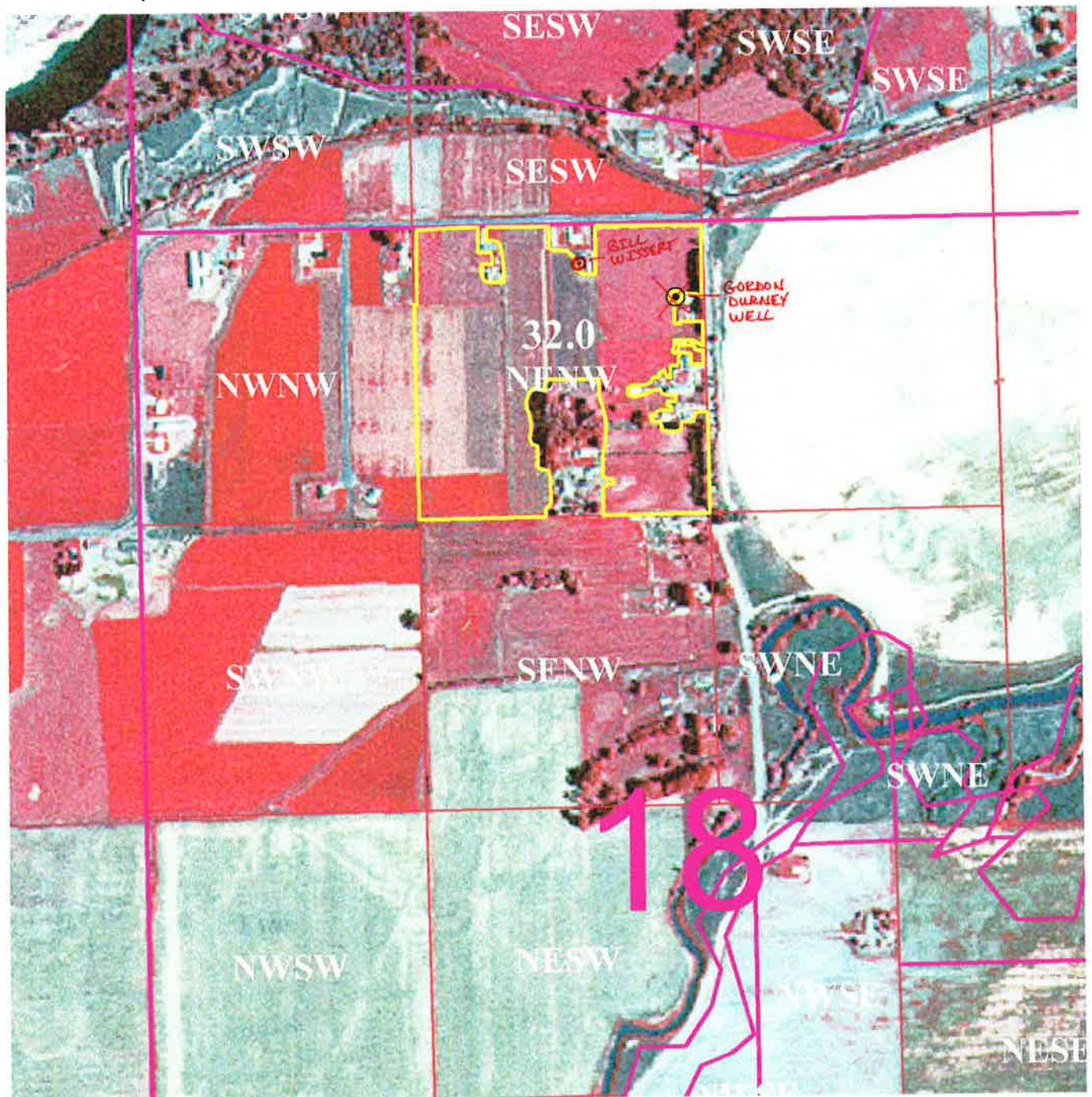
Water Right Claim Number 27-11192
Township , 3S35E

01/05/2001



Water Right Claim Number 27-11192
Township , 3S35E

01/05/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS



HURST KELLY W/DENISE C
WISSERT WILLIAM WINONA M
MILLINGTON STEVEN NATALIE

REMER

ELLIS

ROWLAND

STOKER

EDDINGTON

75454

18
New New

ISE

06/28/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 29, 2005

Water right number: 27-11192

WILLIAM WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208)785-5725

WINONA WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208)785-5725

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-5-05 SIGNATURE: William Wissert

Please print your name: William Wissert.

IDWR Regional Office,



PROFIT

SCANNED
JUL 14 2005

RECEIVED
JUL 13 2005

Department of Water Resources
Eastern Region

KAT
7/12

01/13/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-11192

WILLIAM WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208) 785-5725

WINONA WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208) 785-5725

1. Describe the portion of the proposed recommendation with which you disagree
(e.g. priority date, period of use, source):

*adjust POP.
move domestic.*

*Verify with Bingham Co
legal description*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-7-05

SIGNATURE: William Wissert

Please print your name: William Wissert

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*KMT
6/9*

01/13/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

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Water right number: 27-11192

WILLIAM WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208) 785-5725

WINONA WISSERT
579 W 200 S
BLACKFOOT ID 83221
Telephone Number: (208) 785-5725

1. Describe the portion of the proposed recommendation with which you disagree
(e.g. priority date, period of use, source):

*adjust POP.
remove domestic.*

*Verify with Bingham Co
Legal description*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-7-05 SIGNATURE: William Wissert

Please print your name: William Wissert

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



FAXED
6/8/05 to ID
CB. 2:22pm.

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 fax

Idaho Department of Water Resources

Fax

To: Katy Jackson From: Cindy Bird
Fax: 525-7177 Pages: 2
Phone: 525-7161 Date: 6-8-05
Re: NOE CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

NOE 27-1119Z William Wissert



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

30 June 2005

William Wissert
579 West 200 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Amended Preliminary Recommendation 27-11192

Subject: AMENDED NOTICE OF ERROR

Response Date: 29 JULY 2005

Dear Claimant (s):

Enclosed herein is the Amended Notice of Error for the above referenced claim. Our recommendations to the SRBA Court are based on the status as of the commencement of the adjudication on November 19, 1987. The property located in the NENW of Section 18 was licensed under 27-7006, with a March 20, 1969 priority date. The Point of Diversion (POD) for that license is located in the NWNENW of Section 18. Therefore, the 0.9 acres and the POD located within the NENW claimed by you is being recommended to the Court under license 27-7006.

The above referenced claim number is limited to the irrigation of 0.3 acres of land located in the NWNW of Section 18 with the POD being in the NWNW and not in the NENW. Upon further investigation, the priority date that IDWR is recommending to the Court for your claim is January 1, 1910. This date was also confirmed by the County's Assessor's Office as being when the house was originally built.

After the Director's Report is submitted to the Court later this year, you will have to go to our Idaho Falls office and file a transfer to split 27-7006 and add your well in the NWNW as a POD to irrigate the 0.9 acres in the NENW of Section 18.

I am enclosing IDWR's Preliminary Recommendation and the Notice of Error. Please sign and return the Notice of Error by the above response date. If you have any questions, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure:

Notice of Error
Preliminary Recommendation
Claim 27-11192 layout
Claim 27-7006 layout

Cc: Roger Warner, IDWR, Idaho Falls
Claim No.: 27-7006

Notes

28 June, 2005 Ernie redid the shape for 27-7006 to include the piece in the NENW of sec. 18.

Claim 27-11192 is being recommended by Ernie for domestic and 0.3 ac. of irrigation in the NW1/4 only.

The Wesserts' will need to file a transfer after A.S. to transfer a portion of 27-7006 to their new well in the NW1/4.

According to Benjamin Co. assessors' office the home was built in 1910. Parcel No. RPO370402.

Ernie will send me a new layout and PDE to send with a letter to the Wesserts'.

6-30-05 Sent letter to claimant DB

7-5-05 Claimant called w/ a question: Can he water his 2 ac? I told him he could water .3 ac under this right + the rest would have to be irrigated by the community well. Why? Since the wells are 300' apart + pumping out of the same aquifer? I told him that was the rules. BP

Notes

6/24/05 Ernie & I talked about this right overlapping with 27-7006. The 0.9 acre piece owned by the Wisserts is covered under 27-7006 (NENW sec 18). The piece in the NWNW isn't covered under the license and then I noticed the date (priority date) is after the March 25, 1963 mandatory permit statute. No irrigation can be recommended under this right only domestic, which would include up to 1/2 acre of irrigation.

This claim should reflect the domestic use in the NWNW of section 18. The domestic right need a different priority date than 1964? I'm not sure when the house was built. The irrigation well in the NENW of section 18 was drilled under license 27-7006 in 1969 NOT 1964 as claimed under this SRBA claim. The 0.9 acres owned by Wisserts will be recommended under 27-7006 and they will have to file a post A.J. Transfer to change and add the POD in the NWNW.

WISSERT, WILLIAM I/WINONA M

HURST, M

REMER, SHANE C/SHELLE O

Bird, Cindy

From: Bird, Cindy
Sent: Wednesday, June 08, 2005 4:23 PM
To: Carlsen, Ernie
Subject: 27-11192

hi Ernie,

Last night Bill and Winona Wissert came to the public meeting in Blackfoot on the above listed claim. We got into the question of this being the correct POU and POD but couldn't check it last night because both Zack and I forgot the Bingham tax lot layer. During our discussion he said that the well is actually located east of his property and they drilled a new well about 3 years ago and installed a sprinkler system so they wouldn't have to deal with the other people. He claimed a priority date of 1964 and the license has a priority date of 1969. He claims he living in the original home.

As I got researching it today I find that 27-7006 issued a license to irrigate 46 acres in the NENW & NWNW of section 18, T3S, R35E. This is the same QQ's that his 2 acres are located in but I can't tell from the copies of the examiners report if the Wissert property is included under the license. The Bingham tax lot information shows Kelly Hurst as the owner of a 0.9 acre piece in the NENW. Mr. Wissert faxed me a copy of his warranty deed today and according to his (1977) deed he owns both pieces. Bingham tax lot information does list the Wissert's on the piece in the NWNW. I realize the tax lot information is only a snap shot in time.

First of all I told the Wisserts that they can't just hire a well driller and drill a new well for irrigation without a water right. I explained to them the only thing they can use that well for at this point is domestic and the irrigation of up to 1/2 acres until they file a transfer to move the irrigation to the well.

But my concerns are that this right should actually be a part of 27-7006 but I can't tell from my copy of the map. According to Mr. Wissert they use the subdivisions well under the license. If it wasn't included in the license has he been illegally using the subdivision well and then ultimately drilled an illegal irrigation well. Can you look and see if you can tell if his piece was included in the licensing exam?

Thanks,
Cindy

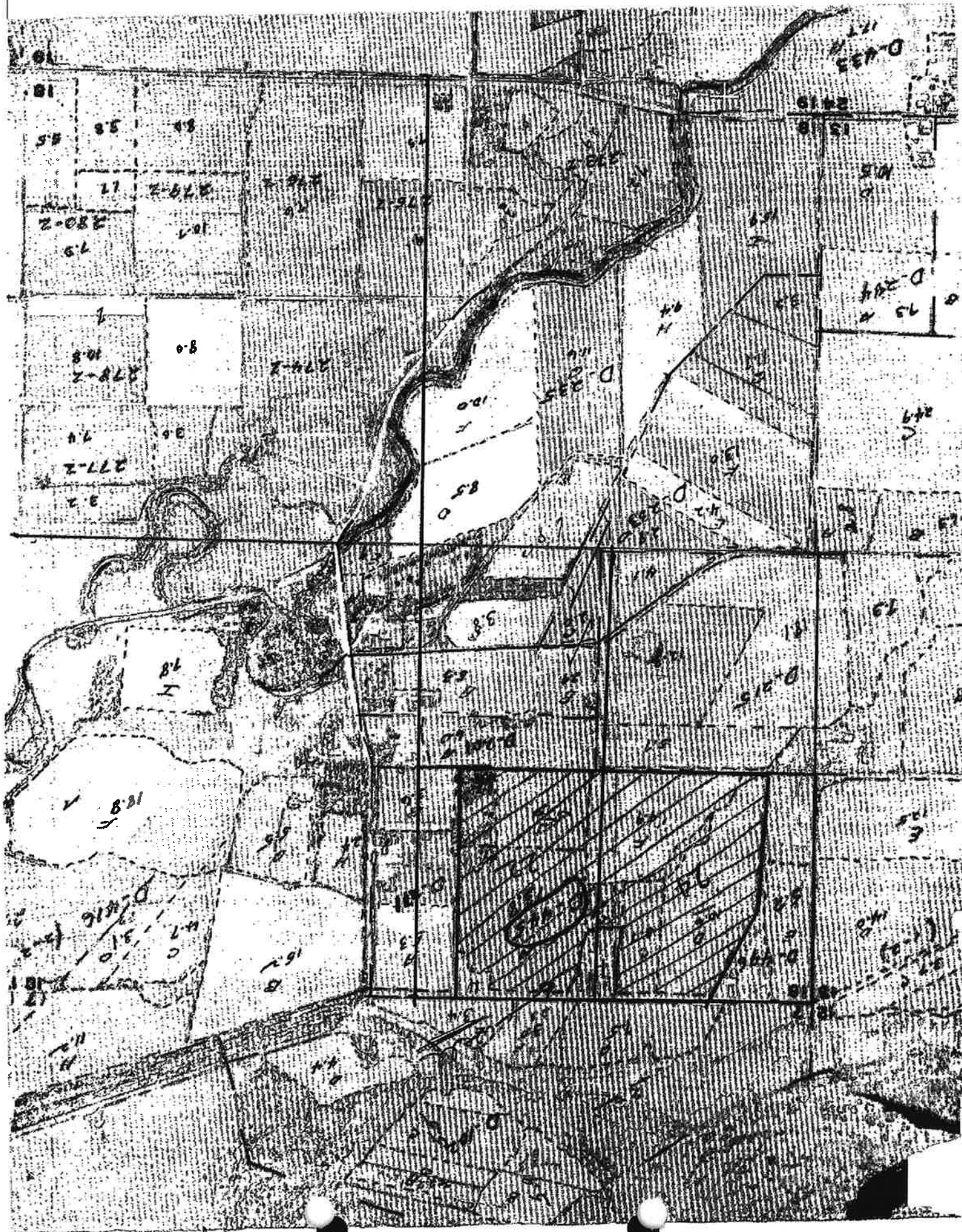
Notes

6/8/05 Received a faxed copy of the Wissert's warranty deed.

This poi appears to overlay the Toveywood subdivision right 27-7006. The well (original) is the subdivisions well. Mr. Wissert about 20-3 years ago drilled another well and put in an irrigation system on his place. That well is what we show on our layout. Which is not the original well.

This claim may need to be disallowed or recommended as a part of 27-7006. I need to do more research on this or discuss it with Cordie.

The licensing exam isn't real clear on the POH. I can't tell from the map if Wissert's place is in/or out of the subdivisions POH. CB,
- Need to Remove the domestic from this W/R.



Notes

1-12-04

Shows a total of 1.7 acres. The acres per QQ is different than 1964 add the C05 Condition to recommendation. If I reduce the irrigated acres by the $\frac{1}{2}$ acre under the domestic, he needs irrigation of 1.2 acres.

No evidence to verify the 1910 priority date. There is a wage affidavit from Zane Caldwell about the irrigation in 1960.

The 1964 imagery shows irrigation so am going to use that date.

- division rate: 0.04 for domestic & 0.02 for irrigation or 0.06 total. Intrepid came up with 0.5 cts, but they assumed everything. So, am going to use the calc. as the recommended. CB

3/3/04 recommended shape 27-11192 - pow.shp.
in the g drive in the recommended shape CB

6/7/05 785-6445 Bell work
check legal

about 3 years ago they drilled another well and added a sprinkler system. I explained to them that they are illegally irrigating.

Notes

12-24-03 Received aerial photo + Drawing w/area marked, BP

12-29-03 Received claim from Mr. Wissert, DR

1-9-04 Received Mr Wisserts file for review with amend claim returned. Dave Carlson commended the claim and did not clarify that on the "Notice of claim"

The 1964 imagery does not support Mr. Wissert's claim for 2 acres.

The 1974 Orthoquad Z-39; Morland, ID appears to have the same irrigated shape as the 1964 imagery. It appears that there is several buildings or parking area within the 2 acres.

I'm going to send the letter to Mr. Wissert about filing a pre-1987 claim or an enlargement claim for the additional acreage.

1-12-04 $256.99' (w) \times 339' (s) = 1.9999 \text{ Acres}$

1.70 acres are irrigated in 1987

Napp photography, minus 0.5 acres under the domestic $= (1.7 - 0.5) = 1.2 \text{ acres}$

0.22 acres irrigated in the 1964 imagery = 0.98 acres needs to have either an enlargement claim or pre-1987 permit. (1 acre)

1-12-04 I created a shape G:/basin27/shapes/27-11192.pou

The 1964 imagery shows 1.7 acres

that appears to be irrigated. The 1987 Napp

Notes

- 10-27-03 Bill Wissert called re what evidence is acceptable. I briefly explained the purpose of SRBA & sent him a copy of the pamphlet "Evidence of Priority." The man called Cindy Reed later. BT
- 12-2-03 Sent disallowance letter. BT
- 12-9-03 Received affidavit from Z. Caldwell
- 12/11/03. Use the deed of trust located in the back of this file to locate the POA. Then see if we have some 1963 imagery to verify the affidavit.
- 12-16 Letter to claimant re clarification. BT
- 12/23/03. William Wissert called about the letter I sent, he went to I.F. and spoke with Dave Carlson, and was told the warranty deed looks correct. So, what did I want? I explained if he could get me a copy of the plat map from Benham Co. it might clarify the legal discrepancy. If the land is also in the WNW then we need to amend the claim. The 1964 photo only shows 1/4 ac. as irrigated. So he would need to file a pre-1987 application of permit.
- He will go to Benham Co. and get a copy of his plat to send to me.

Notes

5-19-03 27-11192 Wissert
Dr. made note in the file that this is
"Probably A Part of 27-7006" 3/95
When I checked the database 27-7006
is claimed entirely by Steven Mullington,
for irrigation of 22 acres NE NW, Section 18,
T03S, R35E, and 24 acres in the NW NW
of the same section. Priority dates are different.

I don't think it's part of this license.
Requesting evidence from claimants
to support a 1/1/1910 priority date
Irrigation Jan 1 - 1910? I think it
should be moved to the irrigation
SOU (5-1-1910)

Purpose should include Domestic.

10-14-03 Requested AG to send letter re evidence, BP

10-22-03 Copy of ltr from AG to claimant, BP

10-23-03 Bill Wissert called to find out
"what crop I wanted". They purchased the place
in 1976 - well was there. When I explained
that we needed evidence to support the
1910 priority date, he remarked "what date
do you want?" I explained that it wasn't a
date I wanted but when these two acres were
irrigated from the well. I ended up explaining
the Idaho Code to Mr. Wissert.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	William	Wissert	579 W. 200 S.			
Name connector: and	____, or	____, and/or	X			
Current Owner	Winona	Wissert	Blackfoot, ID	83221		
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: UB

Date:

Priority Date Data Entry FormClaim Number: A 27-11192

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 4/1/1964 Recommended Basis: B.21☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

affidavit from Zane Caldwell1964 ImageryReviewer: CBDate: 4/9/04

Priority Date

Claim No. 27-11192

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☐ No ☒
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☒
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☒
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☒ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. *B. U.*
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-11192

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

(Amended claim)

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? none

Document how the POD and Source were verified and/or Pump and Motor data:

1987 Napp photography, plat map from
Bergham Co.

Transfers Changing POD _____

Reviewer: CBDate: 1/9/04

Point of Diversion

Claim No. _____ - _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (X)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (X)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10
Yes () No ()
4. Does the parent right have a POD?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed POD be verified using the water right file?
If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the POD?
If Yes, go to 7
If No, go to 9
Yes () No (X)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8
Yes () No ()
8. Was a transfer filed?
If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9
Yes () No ()
9. Does the file contain all of the necessary information to verify the POD?
If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10
Yes (X) No ()
10. Is a POD remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.
Yes () No (X)

Source

Claim No. _____

1. Is the basis of claim a Decree or License? Yes () No (X)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
4. Does the parent right have a Source? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed Source be verified using the water right file? Yes () No ()
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
6. Is the basis of claim a Posted Notice? Yes () No (X)
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
7. Is there evidence that there has been a change in the Source? Yes () No (X)
If Yes, go to 8
If No, go to 10
8. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
9. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
10. Does the file contain all of the necessary information to verify the Source? Yes (X) No ()
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
11. Is a Source remark and/or condition required? Yes () No (X)
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Purpose of Use Data Entry Form

Claim Number: A27-11192 Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Domestic	1			
Irrigation			1.2 CB 1-12-01 0.25	

Document how the Purpose of Use was verified:

1984 Aerial photo; 1987 NAPP

Transfers Changing Purpose of Use NoReviewer: CBDate: 1/9/04

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

4. Does the parent right have a Purpose of Use?

Yes () No ()

If Yes, go to 5
If No, go to 6

5. Can the claimed Purpose of Use be verified using the water right file?

Yes () No ()

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

6. Is there evidence that there has been a change in the Purpose of Use?

Yes () No (X)

If Yes, go to 7
If No, go to 11

7. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C04, go to 11
If No, go to 8

8. Does the change include an enlargement of the Purpose of Use?

Yes () No ()

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

9. Was an enlargement claim filed?

Yes () No ()

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

10. Did the claimant file an enlargement claim?

Yes () No ()

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

11. Does the file contain all of the necessary information to verify the Water Use?

Yes (X) No ()

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

12. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

13. Is a Purpose of Use remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Place Of Use Data Entry Form

Claim Number: A27-11192 Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
8S	35E	18	NENW		Bingham		~~0.25~~ 0.2	Irrigation
			NW	NW	"	1		Domestic
			NW	NW	"	1	0.3	Irrigation

Total Acres ~~0.25~~ 1.2

Document how the POU was verified:

1964 imagery, 1987/88 NApp photography,
plat map from Bingham Co.

1.7 total acres - 0.5 (Domestic) = 1.2 additionally
irrigated.

Transfers Changing POU Reviewer: CBDate: 4/9/04

Place of Use

Claim No. _____ - _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (X) No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes () No (X)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (X) No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (X) No (X) CB

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (X) No () CB

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (X) No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.

If No, POU review is complete.

Yes () No (X)

Period of Use and Quantity Data Entry FormClaim Number: A27-11192☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.024	4.2
Domestic	4/1	12/31	0.04	

Overall Diversion Rate 0.06 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Standard SOU.Reviewer: CBDate: 1/12/04

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☐ No ☒
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☒
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes ☐ No ☐
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes ☐ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes ☐ No ☒
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes ☒ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes ☐ No ☒
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes ☒ No ☐
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☐
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.
Yes ☐ No ☒

Quantity

Claim No. _____ - _____

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes () No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes () No ()

If Yes, go to 8
If No, go to 7

6. Is the basis of claim a posted notice?

Yes () No (X)

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

7. Is a flow measurement required?

Yes () No (X)

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes () No ()

If Yes, go to 10
If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes (X) No ()

If Yes, go to 10
If No, go to 11

10. Is irrigation a purpose of use?

Yes (X) No ()

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes () No ()

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Summary

Claim No. _____ - _____

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes () No (X)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes () No ()

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (X) No ()

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes () No ()

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6

Yes (X) No ()

6. Would you like to view the recommended right?

If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (X) No ()

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8

Yes () No (X)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9

Yes () No (X)

9. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (X) No ()

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

C05

Split or Combined Right Analysis:

None

Attached Field Notes or Other Documents:

Claim No.: 27-11192

Reviewer CB

Date 1/12/04

INTER-DEPARTMENT MEMO

TO: Barbara

FROM: Cindy

SUBJECT: layout

DATE: 1-12-04

Barbara, Please use the shape 27-11192-pou.shp
and create a layout for this claim.

Then it should be ready for the CVR.

gi/basin 27/shapes.

() For your information

CB
signature



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

12 December 2003

COPY

William Wissert
579 West 200 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-11192

Subject: CLARIFICATION OF DISCREPANCIES

Response Date: 31 December 2003

Dear Claimant (s):

Thank you for sending the affidavit by Zane Caldwell concerning when your land was first irrigated in the NENW of Section 18, Township 3 South, Range 35 East.

The legal description of your property doesn't quite match with your claim and the affidavit from Zane Caldwell. We've mapped your property boundaries from the Deed of Trust between you and the Title and Trust Company dated May 2, 1977. After mapping your property, it puts your home in Government Lot 1, or the NWNW of Section 18, not the NENW. If the shape outlined in yellow on the enclosed maps is correct then you will need to amend your SRBA claim to include the complete legal description of your property. However, when we apply this legal to the 1964 imagery and consider Zane Caldwell's affidavit, there is not sufficient evidence to recommend 2 acres of irrigation to the SRBA Court.

We have enclosed two different copies of the imagery covering the acreage sited in the legal description described in the Deed of Trust. The black and white imagery was taken in 1964 and the colored map was taken in 1987. The blue hatched area on the 1964 imagery shows about 0.22 acres of irrigated land in the NENW. I have also included copies of the imageries with only the outline of the property so that you can more easily see the entire imagery. The entire area covered by the legal within the Deed of Trust is approximately 2 acres, which also includes the land within Government Lot 1 of Section 18, the NWNW quarter. This includes the home and other out buildings. The claim is based on historically irrigated lands, not the total acres conveyed. The home and other out buildings appear to be within the NWNW quarter. The claim only sites land

located in the NENW quarter. To recommend the domestic use in the NWNW, Government Lot 1 of Section 18, you will have to amend your claim 27-11192 to include that legal description.

The 1987 imagery clearly shows that additional land located in the NENW quarter as irrigated. However, we cannot recommend to the Court that 2 acres has historically been irrigated with a 1960 priority date.

You can amend your claim 27-11192, at our Idaho Falls office at 900 N. Skyline, Suite A. To continue to irrigate the additional acres you have two choices:

1. File an enlargement claim. Which will allow you to irrigate the land with no additional flow allowed.

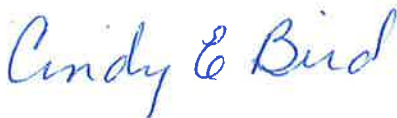
Or

2. File a pre-1987 permit for use prior to 1987. This would allow you the additional flow as well as acres.

If we do not hear from you by the above referenced response date, we will assume you do not wish to file an amendment to your claim or file for an enlargement and therefore, we will recommend to the Court that the claim be allowed for approximately one-quarter acre in the NENW of Section 18.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure: 4 Imagery drawings

I have personal knowledge of water being pumped from the well located on property described As section 18, township 3 south, range 35 east, in Bingham county, in the state of Idaho. In the year approximately in the year of 1960 for the purpose of irrigation.

SRBA CLAIM NO.27-11193

William Wissert

579w 200s
Blackfoot Idaho 83221

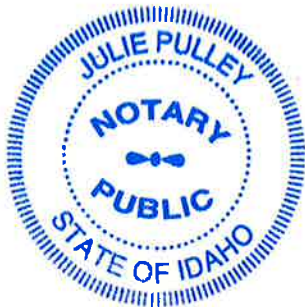
SIGNED
Zane Caldwell

Zane Caldwell

State of Idaho.)
County of Bingham) S.S.

On this 8th day of December, 19 2003,
personally appeared before me, Zane Caldwell
presented to me on the basis of satisfactory evidence to
be the person(s) whose name(s) is (are) subscribed to
this instrument, and acknowledged that he (she) (they)
executed the same.

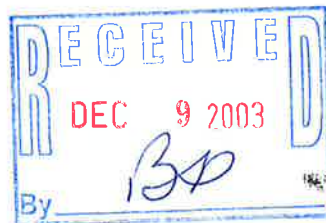
S
E
A
L



Julie Pulley
Notary Public

My Commission Expires 3-17-2009

residing in Blackfoot, ID





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

2 December 2003

COPY

William Wissert
579 West 200 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-11192

Subject: **CLAIM RECOMMENDATION - DISALLOW**

Dear Claimant(s):

Please be advised that since we have had no response from you, we will recommend to the Court that the above referenced claim be disallowed.

Very truly yours,

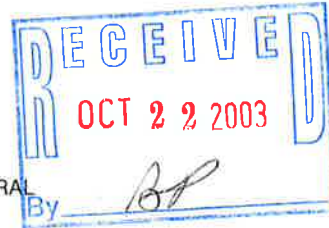
A handwritten signature in cursive script, appearing to read 'Cindy E. Bird'.

Cindy E. Bird

CEB/bjp



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
October 16, 2003



William Wissert
579 West 200 South
Blackfoot, ID 83221

RE: SRBA Claim No. 27-11193

Dear Mr. Wissert.:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding the need for priority evidence for your SRBA claims nos. listed above. However, the Department has not received the information requested. I have enclosed a brochure that discusses the type of evidence that can be helpful in proving the priority date for a water right claim.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department will not be recommending your water rights as claimed because you have not provided proof of priority for your claim.

Please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-5404.

Very truly yours,

A handwritten signature in black ink, reading "Candice M. McHugh".

CANDICE M. McHUGH
Deputy Attorney General
Idaho Department of Water Resources

Enclosure

cc: Cindy Bird



Close

From: Music, Vicky**To:** Payne, Barbara**Cc:****Subject:** RE: Claim 27-11192 William Wissert**Sent:** 10/15/2003 9:20 AM**Importance:** Normal

you bet.

Vicky L. Music
Office of the Attorney General
Paralegal - IDWR
(208) 327-7928

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-----Original Message-----

From: Payne, Barbara
Sent: Wednesday, October 15, 2003 9:20 AM
To: Music, Vicky
Subject: Claim 27-11192 William Wissert

Hi Vicky,

Here is another claim that we have not had a response to. We sent Mr. Wissert a letter asking for evidence of priority for this beneficial use claim on May 14, 2003. The letter was not returned and he is still listed in the phone book with the same address.

Could your office please send a letter to try and get him off dead center. The deadline we gave him was June 30, 2003.

Thanks.

Barbara

To: vmusic@idwr.state.id.us

Cc:

Subject: Claim 27-11192 William Wissert

Hi Vicky,

Here is another claim that we have not had a response to. We sent Mr. Wissert a letter asking for evidence of priority for this beneficial use claim on May 14, 2003. The letter was not returned and he is still listed in the phone book with the same address.

Could your office please send a letter to try and get him off dead center. The deadline we gave him was June 30, 2003.

Thanks.

Barbara



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

William Wissert
579 West 200 South
Blackfoot, Idaho 83221

May 14, 2003

Re: Evidence of Priority

Claim No.(s) A27-11192

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and 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 Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

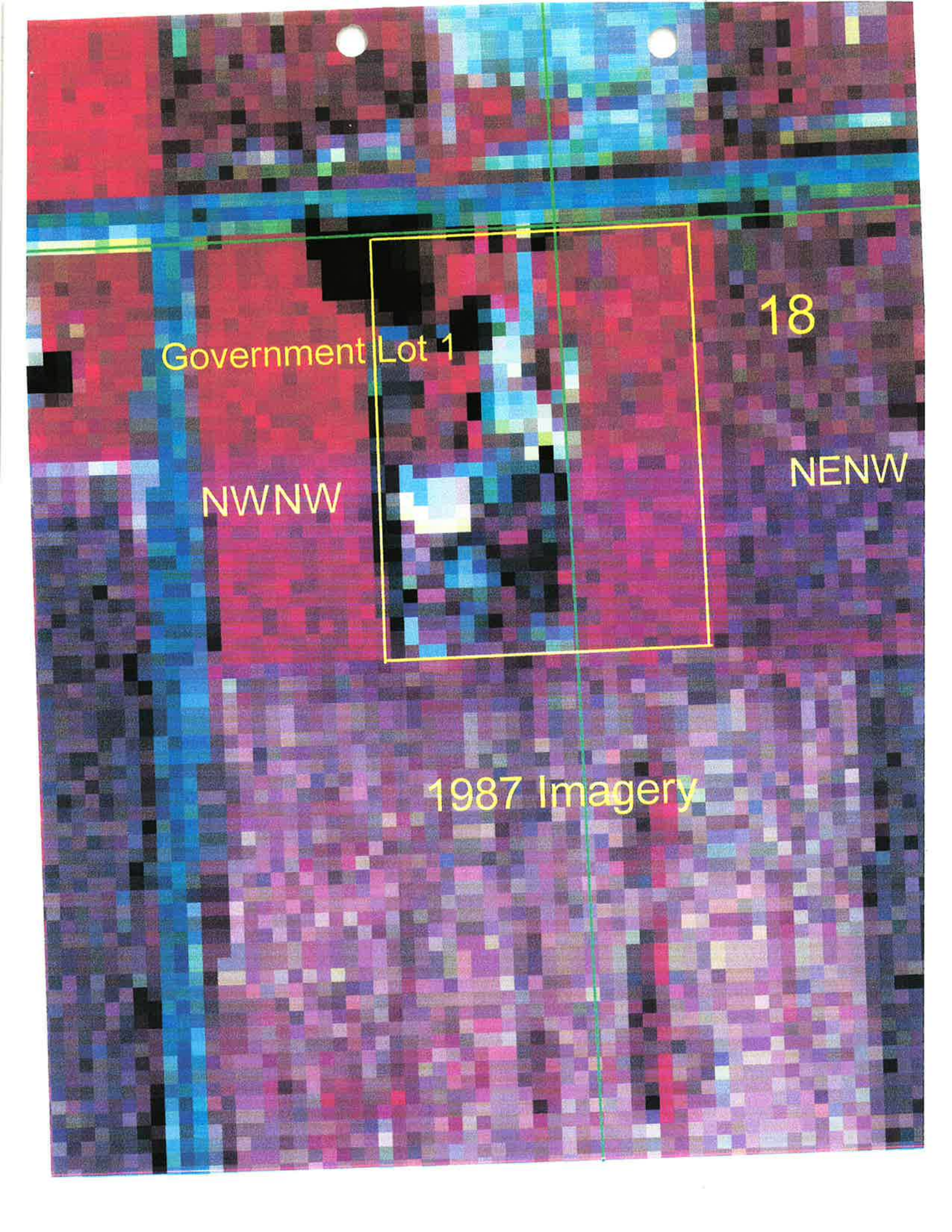
.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 30, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report



Government Lot 1

18

NWNW

NENW

1987 Imagery

Government Lot 1

18

NWNW

NENW

1987 Imagery



18

NENW

Government Lot 1

NWNW

1964 Imagery

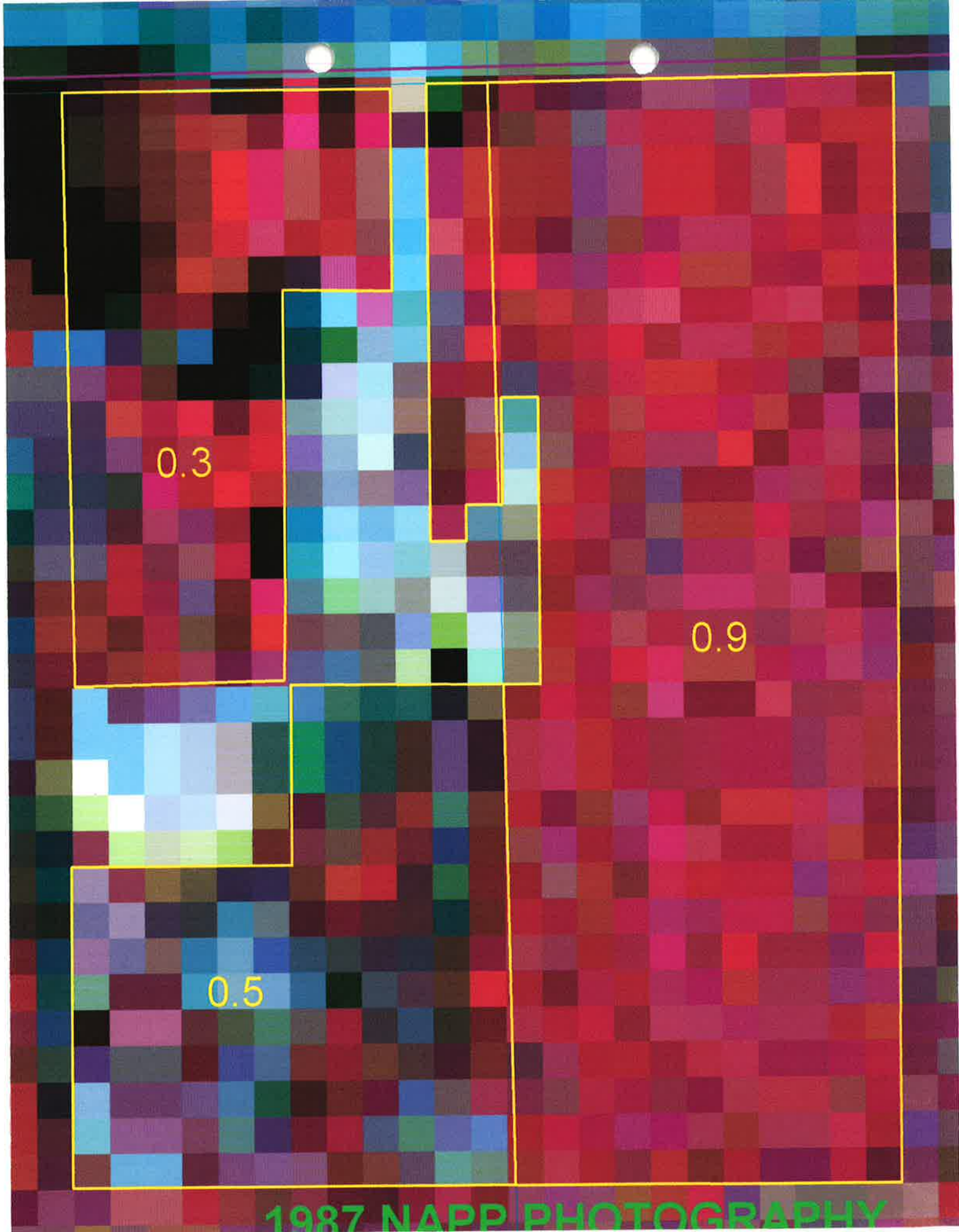
Government Lot 1

18

NWNW

NENW

1964 Imagery



1987 NAPP PHOTOGRAPHY

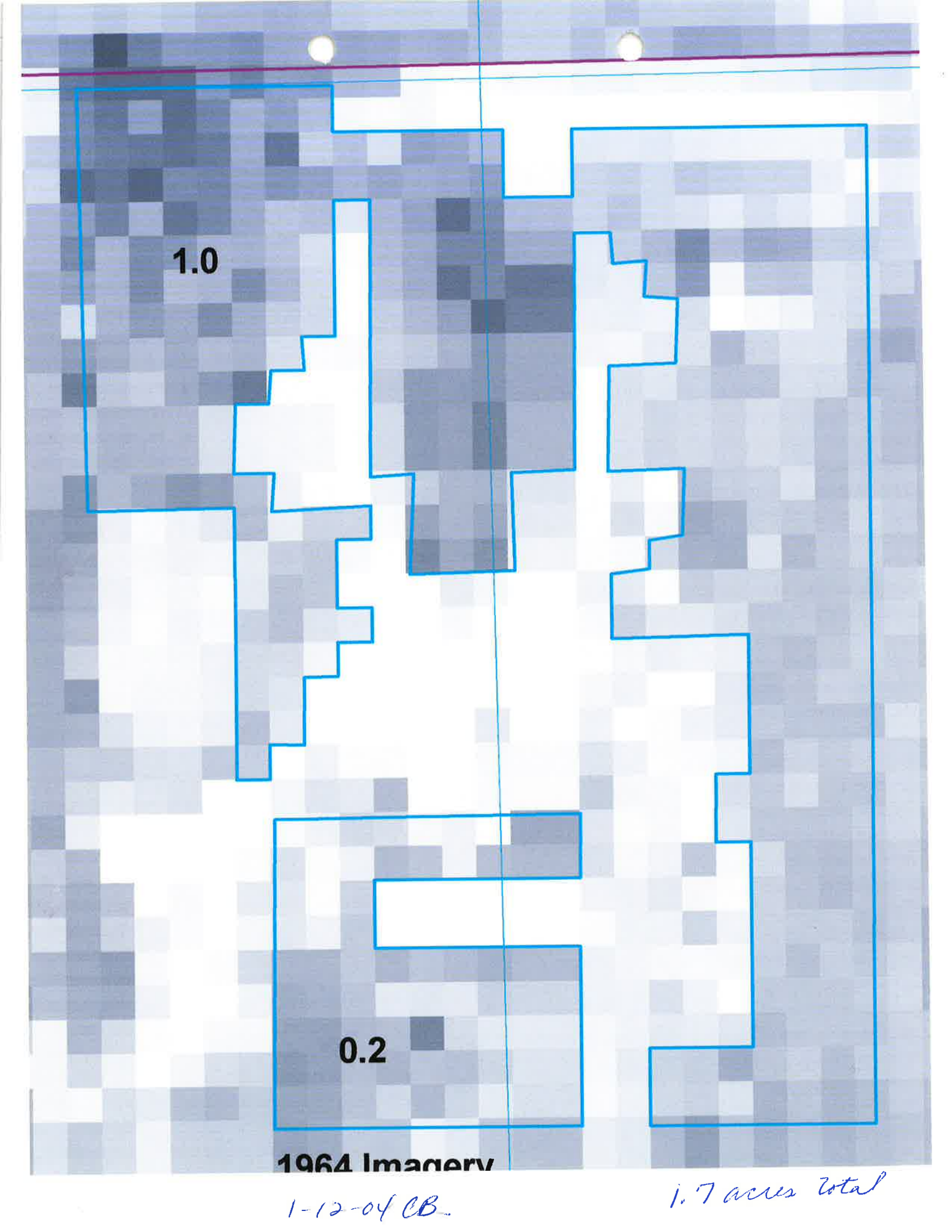
1-12-04 CB.

1-12-04/CB 1.7ac - 0.5ac = 1.2ac 1.2ac area total

1987 NAPP PHOTOGRAPHY

1.4

0.3

An aerial photograph showing a landscape with a blue boundary line. The boundary encloses two distinct areas. The upper-left area is labeled '1.0' and contains a cluster of dark, irregular shapes. The lower-right area is labeled '0.2' and contains a single dark, irregular shape. The rest of the area within the boundary is light gray. The background is a grayscale aerial photograph with a grid pattern. Two punch holes are visible at the top of the page.

1.0

0.2

1964 Imagery

1-12-04 CB

1.7 acres total

FIELD REPORT

1. Name of permit holder Terrel R. Tovey

Post office address Route #1, Box 80, Hermiston, Oregon 97838

Person to contact

RECEIVED
Phone _____

Phone

Phone _____

И 1974

2. Source of water supply: Groundwater ☒ Surface water ☐

Tributary to

Department of Water Administration
(name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 0.90 c.f.s. for irrigation

_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 15

(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 1970 to 1971

(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.90 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3S N/S, Range 35E E/W, B.M., Section 18, Subdivision NE $\frac{1}{4}$ NW $\frac{1}{4}$, Bingham

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

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

Other Points of Diversions:

Description of diverting works: Well, pump, motor & sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

MICROFILMED

TOTAL ACREAGE

46

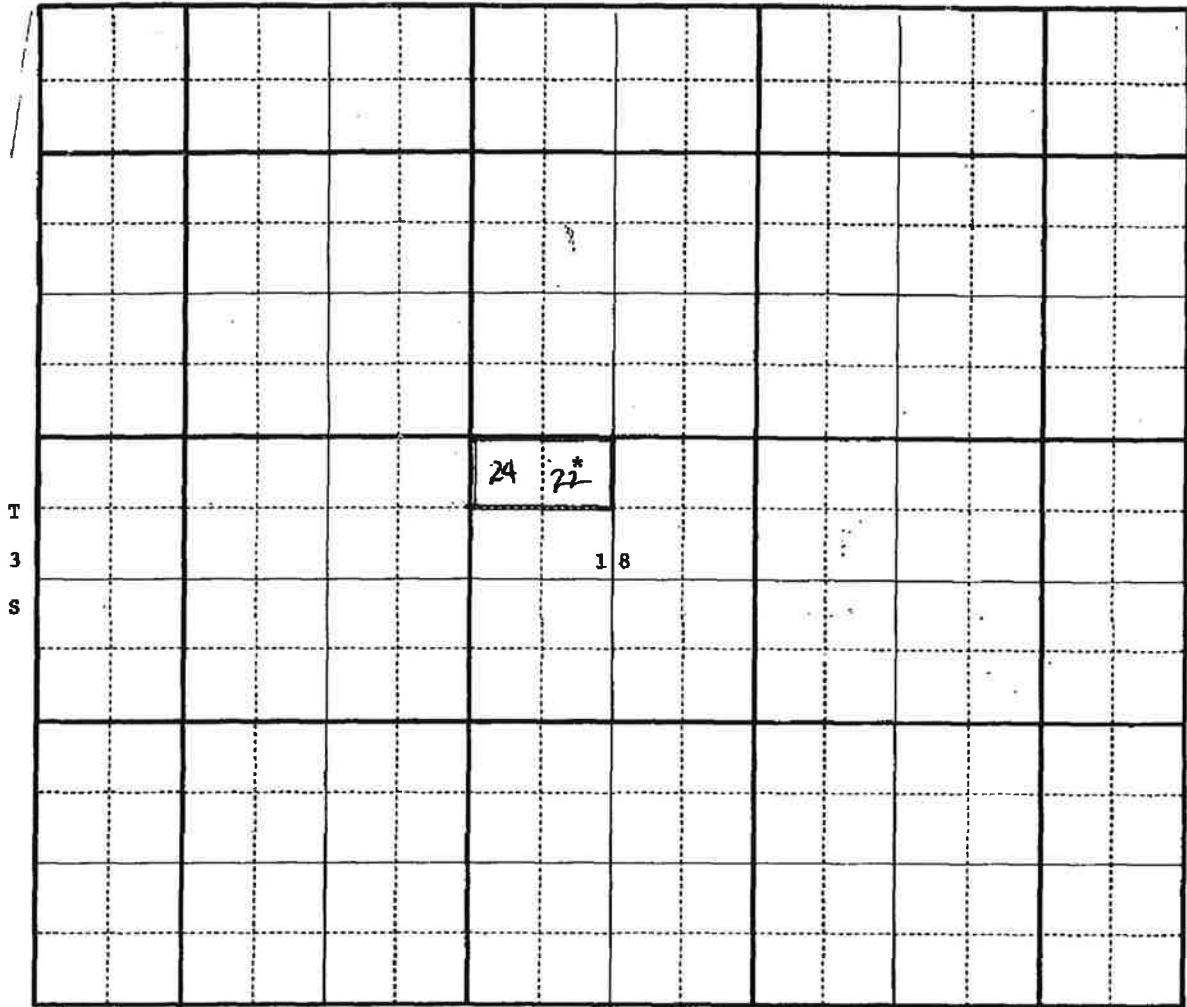
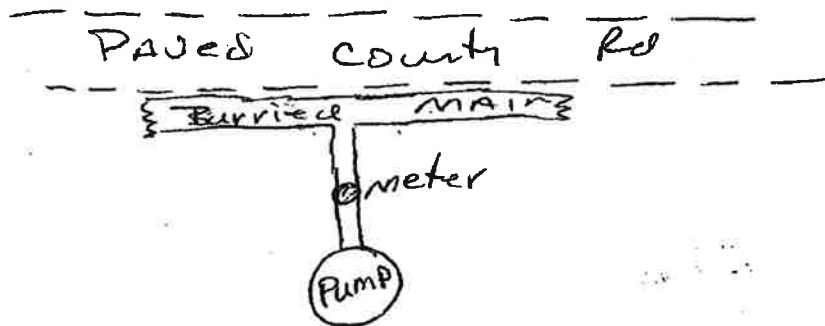


Diagram of System

TOP
↑
N



DATE OF EXAM Aug 12, 1974

ACREAGE
Found 46
Recommended 46

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .90 c.f.s. V = 161 AF/Ann. from Apr 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 1.56 cfs Method of measurement In line Meter

Total Q recommended .90 cfs Meter No 10553 Type Rockwell Condition Good

Total V recommended 161 Af/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION: $43.56 \text{ cu ft H}_2\text{O} / 28 \text{ sec} = 1.56 \text{ cfs}$
 $46 \text{ Ac} \times 3.5 \text{ Af/Ac} = 161 \text{ Af/Ann}$

SYSTEM DESCRIPTION: G.E. 20 Hp Ser #PRJ226057
Layne & Bowler Pump. No Serial Number
1" Steel main 10' North Then Burried main E-West
2 laterals with 1 1/2" and 2 1/2" total

REMARKS: No one present during time of exam

Examiner's Signature Bill Rhoads Date Aug 12, 1974

Checked by Loren O'Halloran Date Oct 8, 1974

Approved by _____ Date _____

871196.11

INGHAM COUNTY RECORDER
BLACKFOOT, IDAHO 11835
O.W. NO. 22 FEE 1.00 DEP 2

WHEN RECORDED, MAIL TO:

77 MAY 3 PM 3:25
224541

RECORDED AT THE REQUEST OF

Space Above This Line for Recorder's Use

WARRANTY DEED

PAUL S. THOMPSON and MARBA THOMPSON, husband and wife, grantees
of Aurora, County of Sevier, State of Utah, hereby

CONVEY and WARRANT to

BILL WISSERT and WINONA WISSERT, husband and wife, as joint tenants,
with right of survivorship, and to their survivors, and to the heirs
and assigns of such survivors,

of Route #3, Box 63, Blackfoot, County of Bingham, State of Idaho, grantees
Idaho

for the sum of TEN AND NO/100 DOLLARS,
together with other good, valuable and adequate considerations,

the following described tract of land in Bingham County,
State of IDAHO, to-wit:

Part of the Northwest quarter of Section 18, Township 3 South, Range
35 East, B. M., more particularly described as follows, to-wit:

Beginning at a point that is East along the Section line 1369.81
feet and South 19.00 feet from the Northwest corner of Section 18,
Township 3 South, Range 35 East, of the Base Meridian and running
thence South 339.0 feet; thence West 256.99 feet; thence North
339.00 feet; thence East, parallel with the section line, 256.99
feet to the point of beginning, containing approximately 2.00 acres.

WITNESS the hands of said grantors, this 19th day of April A. D. 19 77

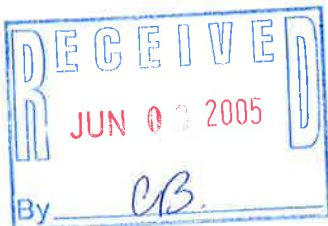
Signed in the presence of
Paul S. Thompson
Marba Thompson

STATE OF UTAH, } ss.
County of Sevier

On the 19th day of April A. D., 19 77 personally
appeared before me PAUL S. THOMPSON and MARBA THOMPSON, his
wife,

the signers of the within instrument who duly acknowledged
to me that they executed the same.

Lynn G. Nielsen
Notary Public.



My Commission expires December 3, 1978. My residence is Richfield, Utah.

224541

APR 22 1977

SCANNED

JUL 20 2001

Log for claim 27-11192

Spatial Dynamics LTD

1/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	18	NENW	2	32	POD placement? / Indiscernible
Totals:			2	32	



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 11192

POD ID 170113

Folder No. A2711192

Claim Status In Use

IDTMEAST 629232

IDTMNORTH 230894

GPSID A0011988

Diversion Description

HOUSEHOLD WELL & PUMP. POD located in Northeast side of yard next to house.

Assumptions

Horse power, elevation head, and pressure 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\27-11192-001.JPG

photos\27-11192-003.JPG

Photos

photos\27-11192-002.JPG

GPS Accuracy (ft)

20 Feet

Date (M/D/Y)

07-23-02

Time

18:04

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

This Form and the associated query are the exclusive intellectual property of Intrepid Technology Resources Inc., and may not be copied, modified, or distributed without the express written consent of Intrepid Technology and Resources, Inc.



FOLDER NO. A2711192

AJ5809NP
No. A27-11192

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 197

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM WISSERT	01/01/1910	IRRIGATION	05-01 09-30	0.060 CFS	
C	WINONA WISSERT					
	579 W 200 S					
	BLACKFOOT ID 83221					
	(208) 785-5725					
				TOTAL DIVERSION:	0.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R35E S18 NENWNW 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	SUM
03S	35E	18	:					02												2.0
																			TOTAL ACRES	2.0

POU County: BINGHAM

Non-Irrigation Uses: D/1 HOUSEHOLD, S/2 COWS

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10337 27-11239 A27-10337 A27-11239

Other Water Rights Listing Overlapping Place(s) of Use:
A27-07006 A27-10357 A27-10358 A27-10370

Remarks: GEN PROBABLY A PART OF 27-07006 DC. 3/95

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

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

Audit: 08/10/89 KEISER 03/07/95 DCARLSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Winona

CLAIM

ENT. NO.

A27-11192

DATE RECEIVED

3-30-89

CK #

—

AMOUNT \$

—

YES

NO

Required 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) — — *
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 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? — — *
7. Is a total quantity claimed entered? — — *
8. If required is a consumptive use entered? — — *
- Is the consumptive use correct? — — *
9. 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, see Adjudication Memo # 4. — — *
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.) — — *
15. Is the basis of the claim indicated? — — *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) — — *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. — — *
18. Has the claim been signed, sealed, and dated by a notary? — — *
19. Was this claim filed on time, or was an extension granted? — — *
20. Is the fee enclosed correct? — — *
21. If this claim is based on an existing water right, has the identification number been entered? — — *
22. Should this claim be data entered? — — *

Claim checked by: ESB

Date:

7-21-89

Claim must be returned to claimant:

(Yes) — (No) —

Claimant must be notified of modifications:

(Yes) — (No) —

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

#10 - Per attached legal description -#7 - 0.06 cfs / No Acreage

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date: May 31, 1989

William and Winona Wissert
579 W. 200 S.
Blackfoot, ID 83221

RE: Water Right Claim Returned

Dear Mr. and Mrs. Wissert:

The Idaho Department of Water Resources (IDWR) is returning your check #3238 (\$52.00) and Notice of Claim to a Water Right because of insufficient information. All items on the claim forms must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected claim within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

- ✓ - Item #2: The date water was first used to irrigate the two acres must be entered. If you do not know the precise date you must estimate the day, month, and year. If the priority date is after March 25, 1963, you must complete the enclosed "Application for Permit" instead of the Notice of Claim.
- ✓ - Item #6: The guideline amount for two acres of irrigation is 0.06 cfs.
- ✓ - Item #7: The total amount is usually the sum of the amounts (cfs) listed in Item #6, limited to the capacity of your well.
- ✓ - Item #10: The location of the place of use must be indicated and/or outlined on the enclosed map.

If the priority date for the irrigation is after March 25, 1963, and you complete an "Application for Permit", you may either submit a Notice of Claim for the house (preserving the earlier priority date) with the permit application for irrigation, or you may file both the domestic and irrigation purposes on the permit application (no Notice of Claim). There is no filing deadline for the permit application. However, the priority date will be the date the application is received by the IDWR.

NOV 13 1992

If you have any questions, please call Tony Olenichak,
Water Rights Agent, at (208)-525-7161.

Sincerely,

*Tony Olenichak
for Ernest Carlsen*

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED

NOV 13 1992

STATE OF IDAHO
FHA FORM NO. 2114G
Rev. 3/76

DEED OF TRUST

This form is used in connection with deeds of trust insured under the one- to four-family provisions of the National Housing Act.

THIS DEED OF TRUST, Made this 2nd day of May, 1977,

Between WILLIAM I. WISSERT AND WINONA WISSERT, Husband and Wife

_____, as Grantor,

whose address is Route #3 Box 63 Blackfoot Idaho 83221
(Street and Number) (City) (State)

TITLE AND TRUST COMPANY

_____, as Trustee, and

MORTGAGE-INSURANCE CORPORATION

_____, as Beneficiary,

Witnesseth: That Grantor irrevocably GRANTS, TRANSFERS, BARGAINS, SELLS, and ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the property in Bingham COUNTY, IDAHO, consisting of not more than three acres, described as:

A portion of the Lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T. 3 S., R. 35 E.B.M., Bingham County, Idaho, described as
Beginning at a point that is E. along the Section line 1367.81 feet and S. 19 feet from the NW corner of said Section, thence S. 339 feet, thence W. 256.99 feet, thence N. 339 feet, thence E. parallel with the Section line 256.99 feet to the point of beginning.

$256.99' \times 339' = 1.9999 \text{ acres}$

NOV 13 1992

MICROFILMED

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 27-11192
Date Received: 6/12/1989
Receipt No: E009040
Received By:

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

WILLIAM WISSERT Phone: (208)785-5725

579 W 200 S
BLACKFOOT ID USA 83221

WINONA WISSERT Phone: (208)785-5725

579 W 200 S
BLACKFOOT ID USA 83221

2. Date of Priority: 01/01/1910

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	35E	18	NE NW NW 1	BINGHAM	

5. Description of diverting works:

HOUSEHOLD WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.06	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	35E	18	NE	NW	IRRIGATION	1
			NW	NW	IRRIGATION	1
			NW	NW	DOMESTIC	
					Section Acres	2
					Total Acres	2

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:

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:

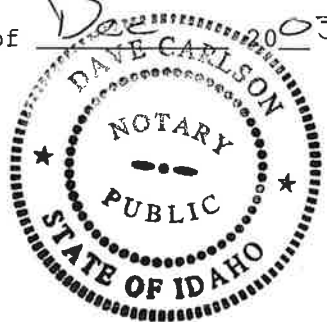
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): William W. [Signature] Date: 12-23-03

Date:

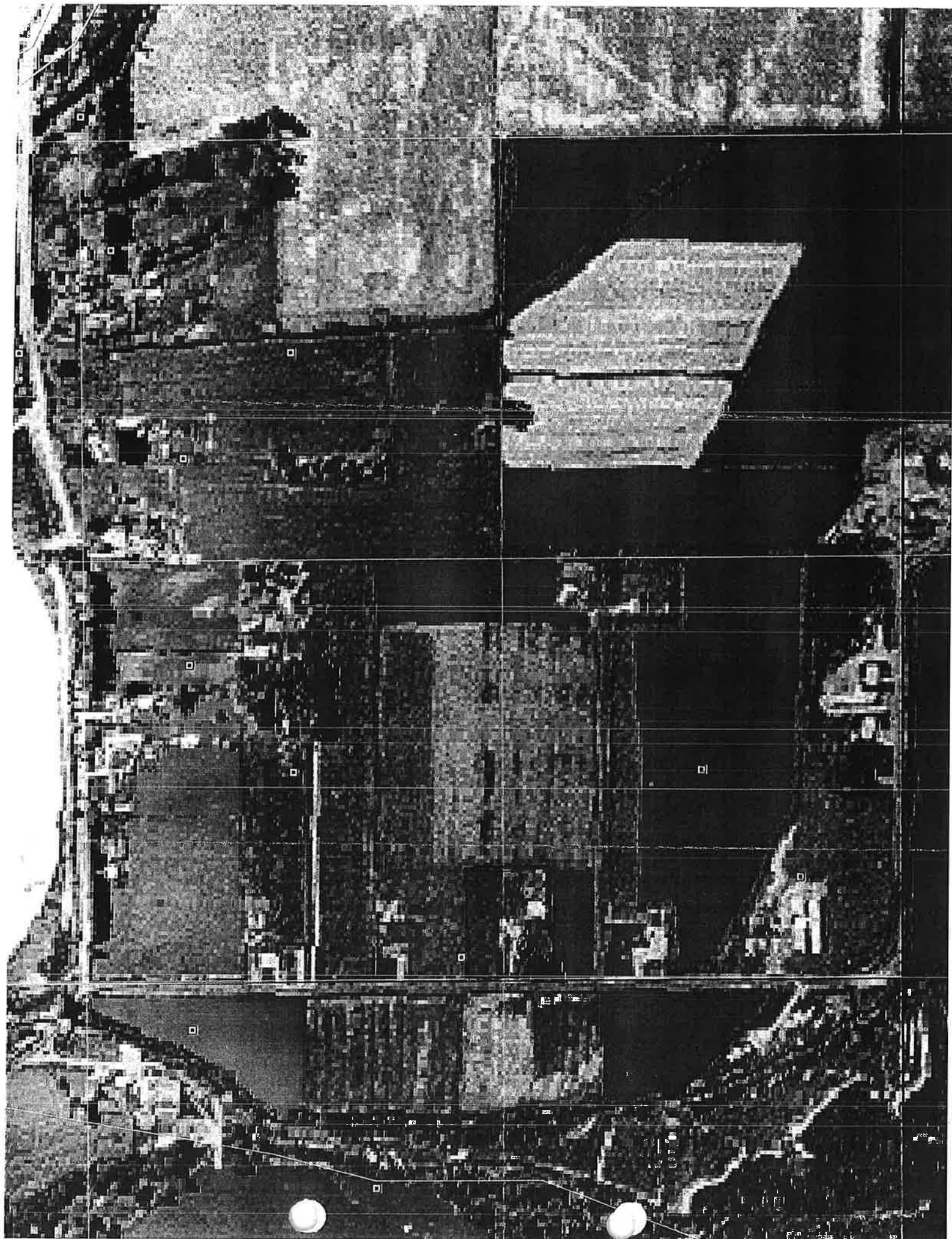
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
of Dec 23 2003



[Signature]
Notary Public

Residing at Ryhy, Id
My commission Expires 2/26/2008



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: A27-11192
Date Received: 5/30/1989
Receipt No: E009040
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM WISSERT 208-785-5725
Address: 579 W. 200 S.
BLACKFOOT, ID 83221
OR
Name: WINORA WISSERT 208-785-5725
Address: 579 W. 200 S.
BLACKFOOT, ID 83221

2. Date of Priority: JAN 01, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
03S	35E	18	NE	NW	NW		BINGHAM

5. Description of diverting works:
HOUSEHOLD WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.060		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/2 COWS

A27-11192

Page 1

Date: 08/10/89

MICROFILMED
NOV 13 1992

A2711192



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	18	NE	NW		IRR	2.0
			NE	NW		DOMEST	

Section Acres 2.0

Total Acres 2.0

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:
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): _____ 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 _____

NO LATE FEE IF RECEIVED

BY 6/30/89 J.O.Dennis Dun 1852
5257161IN 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

Ident. Number A27-11192Date Received 5/30/89Receipt Number E 009040

RECEIVED

JUN 12 1989

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

MAY 30 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

Winona Wissert
or1. Name of Claimant (s) William WissertPhone (208) 785-5725Mailing Address 579 W 2005, Blackfoot, Id Zip 832212. Date of Priority (Only one (1) per claim) March 20, 1969 (27-07-006)
First Accessed 1910, Jan. 1st3. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3South Range 3SE Section 18,
NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. House Hold Well & Pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5-1 to 9-30 amount 0.06 or 6

For Domestic purposes from 1-1 to 12-30 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .01 cfs (cfs) and/or (b) .10 (acre feet)

8. Total consumptive use claimed is 6 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one House Hold, 2 cows, 2 Acres Irrigated

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	35E	18		X				X											

Total number of acres irrigated 2

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

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.
_____ or None (X)

14. Remarks:

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Last Name Wissert Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 1

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

Signature of Claimant (s) Wimoria Wessert Date 5-25-89

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 25th day of May 19 89

SEAL

Notary Public Gloria L. Swanson

Residing at Blackfoot

My Commission Expires 6/25/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

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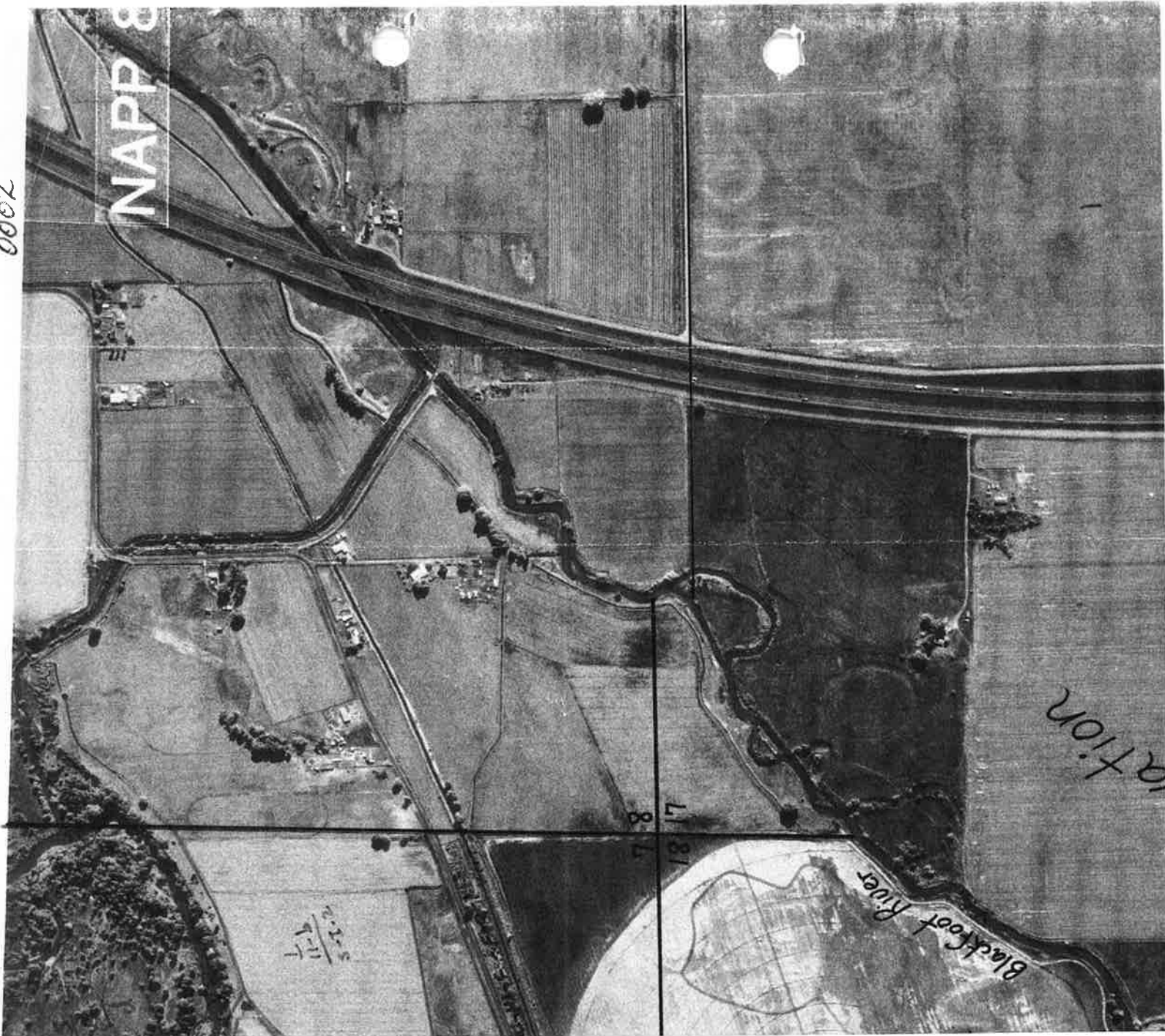
NAPP 8

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Blackfoot River

78
1817

2000
1-17



WILLIAM WISSELT
579W 200S
BLACKFOOT IDAHO 83221
CLAIM 27-11192

House

