

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:06:44
08/04/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-11922

LAST: WHEELER
ADDRESS: PO BOX 50130
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-0620

FIRST: LARRY E
STATE: ID ZIP: 83405

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/4/92

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

DESK TOP REVIEW w/ OQ 239 1/2 N APR 239 NW.

A. AJ CLAIM: # A35-11922 PRIORITY DATE: 03-20-1971 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS: CLAIMING A BENEFICIAL USE RIGHT FOR DOMESTIC AND IRRIGATION FROM
GROUNDOUNDER AFTER THE 1963 MANDATORY PERMITTING STATUTE (10.42-430).
CLAIMANT'S ATTORNEY, KEIT FOSTER, WAS SENT A LETTER MENTIONING THIS ON
12-5-1991. NO RESPONSE WAS SUBMITTED FROM FOSTER.
RECOMMEND ALLOWING THE DOMESTIC PORTION OF THE RIGHT AND DISALLOW
THE IRRIGATION PORTION. RECOMMEND PRIORITY DATE AS CLAIMED.

RECOMMENDED PRIORITY DATE:

---NYC

REVIEWED BY

SS

DATE 8-4-92

Phone Conversation Memo: 8-4-92 GLENDA w/ BINGHAM COUNTY ASSESSOR'S OFFICE CONFIRMED Mr.
BINGHAM COUNTY ASSESSOR - 4 ACRES, RPO211400 - GLENDA WHEELER OWNS 4 ACRES IN THE
DE SE SEC 33 2S34E.
RPT# = 0211400

COPY TO
A35-11922

DECEMBER 5, 1991

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: NOTICE OF CLAIM A35-11922/LARRY WHEELER

Dear Mr. Foster:

Notice of Claim A35-11922 in the name of Larry Wheeler was submitted by your office on May 30, 1989.

The Notice of Claim you have presented conflicts with Idaho Code 42-230, and Water Appropriation Rules and Regulations, paragraph 2,15, concerning the appropriation of groundwater. Water uses developed from a groundwater source after March 25, 1963, for any uses other than residential domestic, stock water or any use not exceeding 2,500g/day, requires filing an Application for Permit. We can find no record of a permit or application for the uses you claim for this property. As result, you may withdraw this Notice in Bingham County and submit an Application for Permit. A Withdrawal of Claim form is enclosed for your use if needed. An application form is also enclosed, with instructions, for your use in this matter. We will be happy to proceed with processing the application if you will return the completed form to our office.

Should you decide to pursue before the court the exact water right you have presented on the Notice, please contact our office to discuss what action is needed before returning the Notice. Please address any correspondence to my attention.

Respectfully submitted,



Gregory J. Taylor
Water Right Agent, Adjudications

GT:jt

Enclosure

TIC

Greg - look at the claim - is different from D.E. Version
See attachment (letter page)

DE 11922
into 11923
+ new version

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-11922	02S	34E	33		NE	SE		BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A35-11797 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	<u>N</u>

REMARKS:

VERIFIED LOCATION w/ ASSESSORS OFFICE - SEE pg 2

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	—	—	—

SOURCE: POD TRIB: —
REVIEWED BY: POD DATE: 8-4-92

A. ROOT WATER RIGHT NUMBERS: A35-04222
A35-11922

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	34E	33	NE	SE		WHEELER, LARRY E	A35-11922 / 5.0	- /	37.0		
			NE	SE		DANSKIN DITCH COMPANY	A01-00052A /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00053A /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00092B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-001168B/23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00157B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00158B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00261 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00306 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-10091 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-10092 /23.0	- /			
			NE	SE	1	HANSEN, D. BENJAMIN	A35-11796 /	- /			
			NE	SE	1	HANSEN, D BENJAMIN	R35-11796 /	- /			
			NE	SE		HANSEN, FAUN	A35-11797 /	- /			
			NE	SE		SCHOOL DISTRICT NO. 52		35-08184 / 4.0			
02S	34E	33	NE	SE		WHEELER, LARRY E	A35-11922 /	- /	37.0		
			NE	SE		DANSKIN DITCH COMPANY	A01-00052A /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00053A /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00092B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-001168B/23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00157B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00158B /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00261 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-00306 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-10091 /23.0	- /			
			NE	SE		DANSKIN DITCH COMPANY	A01-10092 /23.0	- /			
			NE	SE	1	HANSEN, D. BENJAMIN	A35-11796 /	- /			
			NE	SE	1	HANSEN, D BENJAMIN	R35-11796 /	- /			
			NE	SE		HANSEN, FAUN	A35-11797 /	- /			
			NE	SE		SCHOOL DISTRICT NO. 52		35-08184 / 4.0			
TOTAL ACRES							A35-11922	5.00	74.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

POU COUNTY: BINGHAM

DOMESTIC, 1 HOME.

PRESUMPTION FLAG:

REMARKS:

VERIFIED LOCATION OF HOME OF COUNTY ASSESSOR - SEE Pg 2.
DISALLOW IRRIGATION PORTION - IN VIOLATION W/ PERMIT STATUTES.

RECOMMENDATIONS:

TOTAL ACRES:

D-1

REVIEWED BY:

SE

DATE:

8-4-92

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A35-11922 IRRIGATION	FROM 04-01 TO 11-01	.100 CFS
A35-11922 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.100 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<u>Y</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

** Recommendation to Disallowance of Irrigation Portion*
- Allow Domestic Portion as claimed.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y N FIELD DATABASE EXAMINER

B.

FLOW MEASUREMENT

MEASUREMENT METHOD No, SEE ATTACHED CALCULATIONS. Now 0.020: for Domestic

C. ARE OTHER WATER RIGHTS USED? Y() N(X) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-11922	GROUNDWATER	WHEELER , LARRY E	0.100	0.020		
A01-00052A	SNAKE RIVER	DANSKIN DITCH COMPANY	97.500	0.018		
A01-00053A	SNAKE RIVER	DANSKIN DITCH COMPANY	78.000	0.014		
A01-00092B	SNAKE RIVER	DANSKIN DITCH COMPANY	0.400			
A01-00116BB	SNAKE RIVER	DANSKIN DITCH COMPANY	0.756			
A01-00157B	SNAKE RIVER	DANSKIN DITCH COMPANY	0.800			
A01-00158B	SNAKE RIVER	DANSKIN DITCH COMPANY	7.275	0.001		
A01-00261	SNAKE RIVER	DANSKIN DITCH COMPANY	20.000	0.003		
A01-00306	SNAKE RIVER	DANSKIN DITCH COMPANY	80.000	0.015		
A01-10091	SNAKE RIVER	DANSKIN DITCH COMPANY	0.099			
A01-10092	SNAKE RIVER	DANSKIN DITCH COMPANY	0.129			

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A35-11796	DOMESTIC	HANSEN , D. BENJAMIN	FROM 01-01 TO 12-31	.040 CFS	
A35-11796	STOCKWATER	HANSEN , D. BENJAMIN	FROM 01-01 TO 12-31	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 0 x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 17.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Allow 1.20 AF/A for DOMESTIC

=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>DOMESTIC</u>	<u>1/1 12/31</u>	<u>0.02</u>	<u>1.20</u>	<u>WILL</u>
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		_____	_____	_____
REVIEWED BY: <u>EA</u>		DATE: <u>8-4-92</u>		

=====

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-11922

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A35-11922	0.100	-		-	
TOTAL CFS		0.100				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

3/0 RIGHT

=====

AUTHENTICATION:

SIGNATURE: 

DATE: 8-4-92

NAME OF FIELD EXAMINER: Eric S. Linder

TITLE: SWA

=====

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:06:44
08/04/92

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A35-11922

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y			N	6	8/8-4-92	8/8-4-92	8/8-4-92
POINT OF DIV	Y			N	3,1,6			
SOURCE	Y			N	6			
PLACE OF USE	Y			N	3,1,6			
DIV. AMOUNT CFS/VOLUME	Y			Y	6			
CONSUMPTIVE USE	-			N	6			
PURPOSES	Y			Y	6			
PERIOD OF USE	Y			N	6			
BASIS OF CLAIM	Y			N	6			
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

3-25-92

Contact / Sharon
Wheelers Kent

January 30, 1992

KENT FOSTER
PO BOX 50130
IDAHO FALLS ID 83405

RE: GWENDOLYN WHEELER FAMILY LTD PARTNERSHIP
NOTICE OF CLAIM #A35-11922

Dear Mr. Foster:

Please find enclosed a Notice of Claim prepared with information from a copy we obtained from your office last week. Because we were unable to find the original, we would like the enclosed Notice signed and notarized.

Claims by corporations, municipalities, and other organizations must be signed by an officer of the corporation, an elected official of the municipality, or an individual authorized by the organization to sign the form. **The "For Organizations" block in Item #16 must be completed with the signator's title and must be notarized.**

Please return the signed Notice to the IDWR. If you have any questions, please feel free to contact this office.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:sc

Enclosure

PROFILING

SCANNED
SEP 28 2005

MICROFILMED
DEC 11 1992

DECEMBER 5, 1991

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: NOTICE OF CLAIM A35-11922/LARRY WHEELER

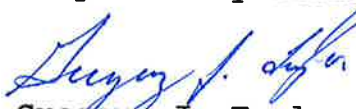
Dear Mr. Foster:

Notice of Claim A35-11922 in the name of Larry Wheeler was submitted by your office on May 30, 1989.

The Notice of Claim you have presented conflicts with Idaho Code 42-230, and Water Appropriation Rules and Regulations, paragraph 2,15, concerning the appropriation of groundwater. Water uses developed from a groundwater source after March 25, 1963, for any uses other than residential domestic, stock water or any use not exceeding 2,500g/day, requires filing an Application for Permit. We can find no record of a permit or application for the uses you claim for this property. As result, you may withdraw this Notice in Bingham County and submit an Application for Permit. A Withdrawal of Claim form is enclosed for your use if needed. An application form is also enclosed, with instructions, for your use in this matter. We will be happy to proceed with processing the application if you will return the completed form to our office.

Should you decide to pursue before the court the exact water right you have presented on the Notice, please contact our office to discuss what action is needed before returning the Notice. Please address any correspondence to my attention.

Respectfully submitted,


Gregory J. Taylor
Water Right Agent, Adjudications

GT:jt

Enclosure

TLC

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SCANNED
SEP 28 2005

MICROFILMED

DEC 11 1992

3-20-92
1007 in file

Greg - take a
look at this
claim - is
different from
D. E. Version
See attachments
Page 4

11922
into 11923
person

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

April 29, 1991

Mr. Ernest Carlsen
DEPARTMENT OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Re: Gwendolyn Wheeler Family LTD. Partnership
Notice of Claim #A35-11922

Department of Water Resources
Eastern District Office

Dear Mr. Carlsen:

In January you sent to us a Notice of Claim form prepared for the signature of Gwendolyn Wheeler. We have now been able to secure her signature and are returning the executed Notice of Claim pursuant to your request.

Yours very truly,


Kent W. Foster

#0471.00/srs

RECEIVED

APR 30 1992

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SEP 28 2005

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DEC 11 1992

4/11/1989

LARRY

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME WHEELERCLAIM IDENT. NO. A35-11922DATE RECEIVED 5/30/89

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code? X YES NO *
2. Is a priority date entered? X YES NO *
- Is the priority date acceptable in view of mandatory filing dates? X YES NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. X YES NO *
3. (a) Is a source entered? X YES NO *
- (b) Is a tributary to entered? (if required) N/A X YES NO *
4. Is the legal description of the p.d. sufficient? X YES NO *
5. Is there a description of the diverting works? X YES NO *
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. X YES NO *
- Is the period of use included? X YES NO *
- Is a quantity claimed for each use? X YES NO *
7. Is a total quantity claimed entered? X YES NO *
8. If required is a consumptive use entered? N/A X YES NO *
- Is the consumptive use correct? N/A X YES NO *
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. N/A X YES NO *
10. Is (are) the place(s) of use and purpose(s) indicated? X YES NO *
11. Is (are) the county(ies) entered? X YES NO *
12. Is the ownership of p.u. checked? X YES NO *
13. Are other water rights listed or "none" indicated? X YES NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A X YES NO *
15. Is the basis of the claim indicated? X YES NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A X YES NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. X YES NO *
18. Has the claim been signed, sealed, and dated by a notary? X YES NO *
19. Was this claim filed on time, or was an extension granted? X YES NO *
20. Is the fee enclosed correct? Exempt X YES NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A X YES NO *
22. Should this claim be data entered? X YES NO *

Claim checked by: TODate: 7/27/89

Claim must be returned to claimant:

X (Yes) NO (No)

Claimant must be notified of modifications:

X (Yes) NO (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: PERMIT REQUIRED.CONSUMPTIVE

PROCESSED

SCANNED

SEP 28 2005

MICROFILMED

DEC 11 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

WILLIAM S. HOLDEN
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
G. LANCE NALDER
J. MICHAEL WHEELER
MARIE T. FEELEY

IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

R. VERN KIDWELL, OF COUNSEL

RECEIVED

MAY 30 1989

Department of Water Resources
Eastern District Office

May 25, 1989

Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Gentlemen:

We are enclosing twenty-four irrigation claims, one combination irrigation and domestic claim, one stockwater claim, and fourteen domestic claims, all in connection with the Snake River Basin Adjudication, and for filing. All of these water rights are appurtenant to lands that have in recent years were part of the Estate of C. L. Williams. Because our office was involved in some estate planning and some gifting following his death, we also did some extensive work on these water rights in about 1984. There are for instance, a number of Applications for Permit still pending to cover wells which, although drilled in the 1970s, were discovered during the Swan Falls controversy not to be documented. Because we had done work on the water rights in 1984, we were asked by the family to prepare the claims based upon the information gathered at that time.

We have also enclosed four original Powers of Attorney and one check for the filing fees in the amount of five thousand six hundred fifty-six dollars (\$5,631.00). It was computed as follows:

1. Susan Kittelson Family Limited Partnership
a. 35-2205A - \$ 50.00
Acreage fee - \$200.00
2. Estate and Jennie L. Williams
a. 35-2567C - \$50.00
Acreage fee - \$50.00

PROFILED

SEP 28 2005

MICROFILMED
DEC 11 1992

42

b. 35-4151A- \$50.00
Acreage fee - \$40.00

90⁰⁰ ✓✓

c. 35-4237 - \$ 50.00
Acreage fee - \$125.00

210⁰⁰ ✓✓

d. 35-2130A- \$ 50.00
Acreage fee - \$125.00

175⁰⁰ ✓✓

e. 35-2099C- \$50.00
Acreage fee - \$35.00

85⁰⁰ ✓✓

f. 35-2876 - \$ 50.00
Acreage fee - \$315.00

365⁰⁰ ✓✓

g. Domestic Well - \$25.00

A35-11905

25⁰⁰ A3 ✓✓

3. William M. Williams Family Limited Partnership

a. 35-7557 - \$ 50.00
Acreage fee - \$153.00

223⁰⁰ ✓✓

b. 35-2567A- \$50.00
Acreage fee - \$65.00

115⁰⁰ ✓✓

4. Le Grande R. Williams Family Limited Partnership

a. 35-2567B- \$50.00
Acreage fee - \$25.00

75⁰⁰ ✓✓

b. 35-7631 - \$ 50.00
Acreage fee - \$311.00

361⁰⁰ ✓✓

c. Domestic Well - \$25.00

A35-11908

25⁰⁰ ✓✓

d. Second Domestic Well - \$25.00

A35-11909

25⁰⁰ ✓✓

5. & 6. Enid R. Williams

a. Domestic Well - \$25.00

A35-11910

25⁰⁰ ✓✓

b. Second Domestic Well - \$25.00

A35-11911

25⁰⁰ ✓✓

c. Third Domestic Well - \$25.00

A35-11912

25⁰⁰ ✓✓

1829.00

7. Douglas R. Williams Family Limited Partnership

a. 35-2097A- \$ 50.00
Acreage fee - \$475.00

525⁰⁰ ✓✓

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475
55

b. 35-7842 - \$50.00
Acreage fee - \$55.00

105⁰⁰ ✓✓

c. 35-4156 - \$ 50.00
Acreage fee - \$110.00

155⁰⁰ ✓✓

(Makes a total of \$640.00
for the total acreage in the Section although this claim is for
a total of 320 acres)

A35-11913
d. Domestic Well - \$25.00

25⁰⁰ ✓✓

8. John D. Williams Family Limited Partnership

a. 35-20970- \$ 50.00
Acreage fee - \$616.00

666⁰⁰ ✓✓

A35-11914
b. Domestic Well - \$25.00

25⁰⁰ ✓✓

A35-11915
c. Second Domestic Well - \$25.00

25⁰⁰ ✓✓

A35-11916
d. Stock Well - \$25.00

25⁰⁰ ✓✓

9. Carolyn Mendoza Family Limited Partnership

a. 35-20970- \$50.00
Acreage fee - \$30.00

80⁰⁰ ✓✓

b. 35-2106 - \$ 50.00
Acreage fee - \$120.00

175⁰⁰ ✓✓

10. Roger D. Williams Family Limited Partnership

a. 35-41510- \$ 50.00
Acreage fee - \$120.00

170⁰⁰ ✓✓

A35-11917
b. Domestic Well - \$25.00

25⁰⁰ ✓✓

11. Leslie Ann Dance Family Limited Partnership
(This property is apparently no longer owned by a
family member)

12. Steven L. Wheeler

a. 35-21250- \$50.00
Acreage fee - \$32.00 (31.9 acres)

82⁰⁰ ✓✓✓

b. 35- A35-11918 - \$ 50.00
Acreage fee - \$132.00

182⁰⁰ ✓✓✓

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c. 35-2267 - \$ 50.00
Acreage fee - \$100.00

^{A35-11919}
d. Domestic Well - \$25.00

150⁰⁰ ✓ ✓
4244 (Cum)

13. Darrin A. Wheeler Family Limited Partnership

a. 35-2125B- \$ 50.00

Acreage fee - \$264.00 (263.1 acres)

b. 35-2130^B - \$50.00

Acreage fee - \$53.00

c. 35-2099A- \$50.00

Acreage fee - \$85.00

^{A35-11920}
d. Domestic Well - \$25.00

(Makes a total \$402.00 or 401.1 acres which are actually irrigated, although this claim is for a total of 90 acres)

14. Gwendolyn Wheeler Family Limited Partnership

a. 35-2099B- \$ 50.00

Acreage fee - \$280.00

^{A35-11921}
b. Domestic Well - \$25.00

^{A35-11922}
c. Larry Wheeler Irrigation

and Domestic Well - \$25.00

(Gwendolyn's husband)

Acreage fee - \$5.00

^{A35-11923}
d. Second Domestic Well

for Larry Wheeler - \$25.00

TOTAL \$5,631.00

2866

1187

1037

(41)
You will also notice right away that the claims filed on behalf of Roger D. Williams do not yet have signatures. We apologize for this and hope that you will be patient, but when it came time to have these signed, Roger was apparently on vacation and no one was able to reach him. As soon as he returns, we will try to arrange to have him come in and sign the claims. We felt it was necessary to file all of the claims together, and of course trying to coordinate the signatures of

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Idaho Department of
Water Resources
May 25, 1989
Page 5

that many people, when most of them did not really understand the procedure and what would be required, resulted in some logistical problems.

Thank you for your continued assistance.

Yours very truly,


Kent W. Foster

#0471.00/srr

Enclosures

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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: A35-11922
Date Received: 6/ 1/1989
Receipt No: E008675
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LARRY E WHEELER 208-523-0620
Address: PO BOX 50130
IDAHO FALLS ID 83405

2. Date of Priority: MAR 20, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	34E	33		NE	SE		BINGHAM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	34E	33	NE	SE		IRR	5.0
			NE	SE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
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 _____

RECEIVED

APR 30 1992

Department of Water Resources

Eastern District Office

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: ¹¹⁹²³ ~~A35-11922~~

Date Received: 1/27/1992

Receipt No: E008675

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GWENDOLYN WHEELER FAMILY LTD PARTNERSHIP 208-523-0620
Address: PO BOX 50130
IDAHO FALLS ID 83405

2. Date of Priority: APR 1, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	34E	3	NE	NW			BINGHAM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	34E	3	NE	NW		DOMEST	

11. Place of use in counties: BINGHAM

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A35-11922

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Date: 01/27/92 1 1992

PROFILED

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Gwendolyn Wheeler Family Limited Partnership Organization, that I have signed the foregoing
document in the space below as General Partner of
said partnership Organization and that the statements contained in the
foregoing document are true and correct.

Gwendolyn Wheeler
Signature of Authorized Agent
General Partner, Gwendolyn Wheeler
Family Limited Partnership
Title and Organization

4 - 27 - 92

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of April 19 92

Russ Stutz
Notary Public

Seal

Residing at Idaho Falls Idaho

My Commission Expires 1-14-98

17. Notice of Appearance:

Notice is hereby given that I, KENT W. FOSTER will be
Print Name

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 *Kent W. Foster*

Address P.O. Box 50130, Idaho Falls, ID 83405

Date 4/28/92

55.00

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: 39356

Ident. Number A35-11922Date Received 5-30-89Receipt Number E 008675

**NOTICE 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

1. Name of Claimant (s) Larry E. Wheeler Phone (208) 523-0620Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 834052. Date of Priority (Only one (1) per claim) March 20, 19713. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2S. Range 34E. Section 33,
1/4 of NE 1/4 of SE 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 _____

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. Well and pump.

A3511922



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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount .1 or _____
 For Domestic purposes from Jan. 1 to Dec. 31 amount .02 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - 1 household

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
2S.	34E.	33													5-D				5

Total number of acres irrigated 5

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:

Last Name Wheeler Ident No. _____

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SEP 28 2005

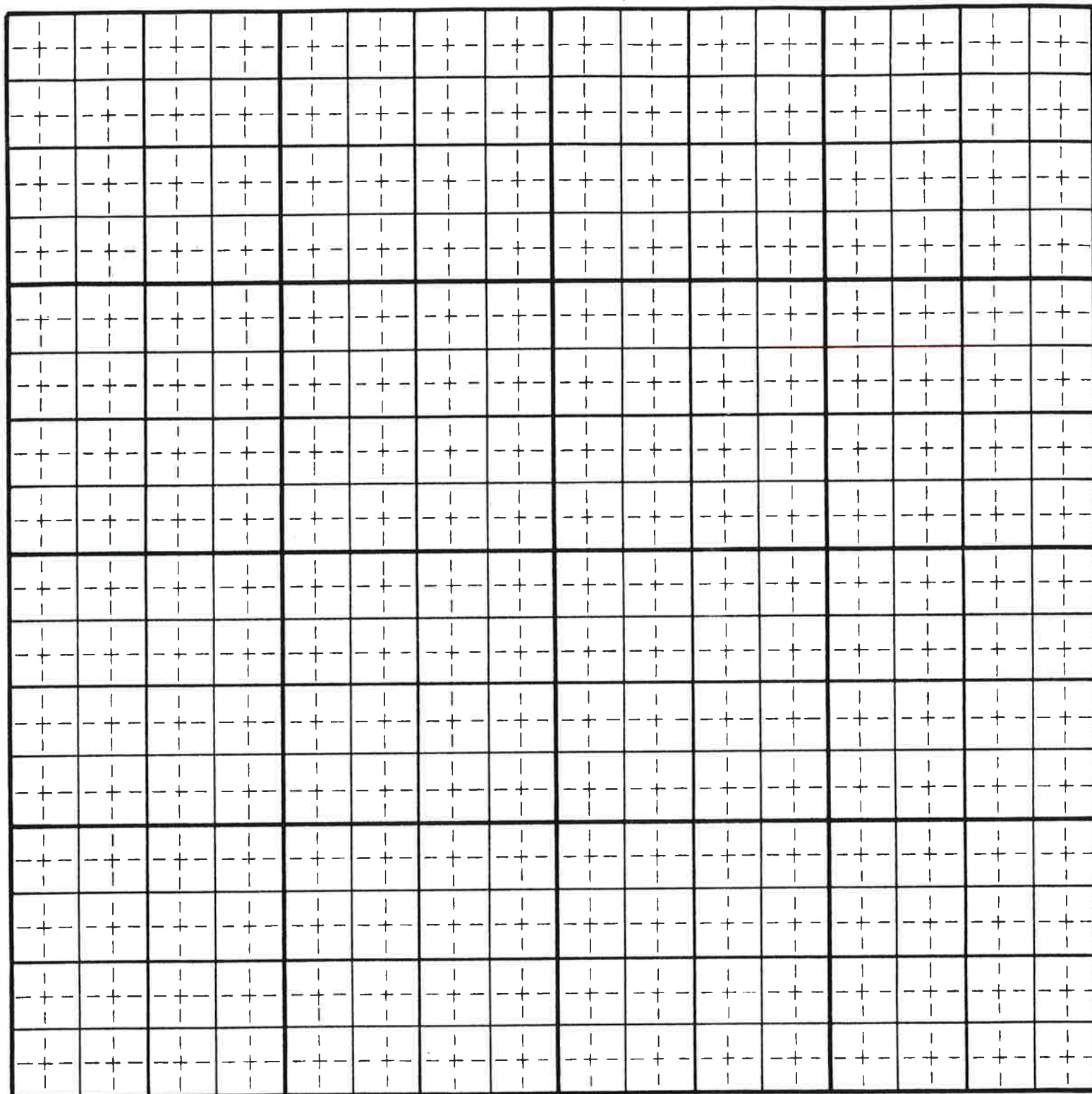
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Copies: White State, Yellow Claimant

DEC 11 1992

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

Scale: 2 inches equals 1 mile



Last Name

Wheeler

Ident No.

SCANNED
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DEC 11 1992

Copies: White-State, Yellow-Claimant

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 _____

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

Signature of Claimant (s) _____

Date 5/34/89

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day of May 19 89

SEAL

Notary Public [Signature]

Residing at Idaho Falls, Idaho

My Commission Expires 11/10/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 [Signature]

Address P.O. Box 50130, Idaho Falls, Idaho 83405

Date 5/25/89

Last Name Wheeler

Ident. Number _____

SCANNED

SEP 28 2005

MICROFILMED

Copies White-State, Yellow-Claimant

DEC 11 1992

