

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: A36-02258A
Date Received: 9/25/1989
Receipt No: 5009700
Received By: CW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARCELLA WICKER
Address: 309 EAST 18TH
RUPERT, ID

208-436-4906

83350

2. Date of Priority: MAY 12, 1954

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	25E	1	NE	NW	NW	3	MINIDOKA

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.300		

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

A.F.A.

8. Total consumptive use is 495.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	25E	1	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

A36-02258A

Page 1

Date: 09/25/89

MICROFILMED

JAN 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	25E	1	NE	SW		IRR	4.2
			NW	SW		IRR	1.0

Section Acres 165.2

Total Acres 165.2

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
UNSPECIFIED

14. Remarks:
PORTION OF 36-2258

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Marcella Wicker Date: Oct. 5, 1989
_____ Date: _____

State of Idaho)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of October 19 89

Marilyn L. Moller
Notary Public

Seal

Residing at Lupert, Idaho
My Commission Expires 10-3-92

NOT TO SCALE

35 36

2 1

T1729
1204

Tract - HEL

9

82.9

2

82.3

2

65.1

T1045
1727

Tract is HEL

4

5.4

5

19.5

3

23.1

7

22.9

8

23.2

T1686
1589

1
146.9

Tract - HEL

2 1

11 2

T1058
1775

Tract - HEL

8.9

36 3

1 6

1 6

12 7

MICROFILMED

JAN 26 1993

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

RECEIVED

DEC 14 2001

Department of Water Resources

Important Information About Your Water Right

December 4, 2001

Marcella Wicker
309 E 18th
Rupert, ID 83350

RECEIVED

DEC 19 2001

Department of Water Resources
Southern Region

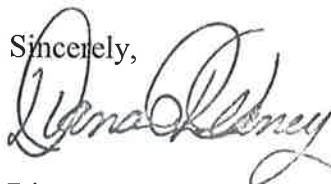
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-02258A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on December 3, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

2001 DEC -4 PM 4: 28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Right 36-02258A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 3, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 4, 2001.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



Deceased

RETURNED
TO SENDER
NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

36-02258A
MARCELLA WICKER
309 E 18TH
RUPERT ID 83350

RE: Water Rights in Reporting Area 3, Basin 36
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources supplemental recommendations for your water right(s) in basin 36 (the area north of the Snake River from near Lake Walcott on the east to near Hagerman on the west). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in Basin 36 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and general provisions applying to all water rights in Basin 36. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Hailey, Arco, Jerome, Rupert, Gooding, and Shoshone and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

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

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ5875NP
982

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

DATE: July 28, 1999
PAGE: 1

RIGHT NUMBER: 36-02258A

NAME AND ADDRESS: MARCELLA WICKER
309 E 18TH
RUPERT ID 83350

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE
	IRRIGATION	03-15 11-15

**NOTICE OF FILING SUPPLEMENTAL REPORTS
FOR REPORTING AREA 3 (IDWR BASIN 36) REGARDING
REVISION OF THE FOLLOWING:**

- ▶ **Period of Use (For Irrigation Water Uses)**
- ▶ **Conjunctive Management General Provision**

EXPLANATION

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5, the Snake River Basin Adjudication (SRBA) District Court requested the Director of the Idaho Department of Water Resources (IDWR) to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and the conjunctive management general provision. This notice is to inform you that IDWR has filed those reports with the SRBA District Court.

Irrigation Season of Use

The supplemental report on irrigation season of use changes IDWR's recommendation for the irrigation season of use for irrigation water rights in Basin 36. Even water rights that have received partial decrees are receiving a new irrigation season recommendation because the Idaho Supreme Court determined that the use of the term "irrigation season" is not acceptable and specific dates must be set. The irrigation season of use recommendations only affect the season of use, and no other elements of the irrigation water rights.

If you claimed an irrigation water right a description of the Director's irrigation season of use recommendation for your claim is attached to this Notice. You need to carefully review the new season of use recommended for your irrigation right. The complete Irrigation Season of Use Supplemental Report for Basin 36 is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

Conjunctive Management General Provisions

Additionally, the Director of IDWR has filed with the SRBA District Court his supplemental report on conjunctive management for Basin 36. This Report is the Director's recommendation for the conjunctive management general provision that should be decreed for Basin 36. Attached to this Notice is a complete copy of the conjunctive management general provision the Director recommends for Basin 36.

INSTRUCTIONS FOR REVIEWING THESE REPORTS

You are free to agree or disagree with the Director's recommendations. If you agree with the Director's recommendations you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendations, you need to file an objection as described below. **You may only object to the Director's recommendations on irrigation season of use and conjunctive management.** You may not object to any other elements of your water right under this notice unless you have evidence that the irrigation season of use or conjunctive management recommendations affect other elements of your right.

INSTRUCTIONS FOR TAKING AN ISSUE TO COURT

What do I do if I disagree with a conjunctive management provision or a season of use recommendation?

If you disagree with a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form attached to this Notice. Copies are available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection to IDWR's conjunctive management provision, or the irrigation season of use for the rights listed above must be received by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to a conjunctive management provision or a season of use recommendation?

If someone files an objection to a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court. Your response must be received by the SRBA Court on or before **November 12, 1999**.

What happens if there are no objections to a recommendation?

After the deadline for filing objections, the SRBA Court will hear the uncontested recommendations on **November 16, 1999, at 1:30 P.M.** at the **SRBA Courthouse**. Any part of the report to which no objections are filed may be decreed by the district court.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding the SRBA can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

Snake River Basin Adjudication

District Court

253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources

1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

Idaho Department of Water Resources

Western Region

2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources

Northern Region

1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

Idaho Department of Water Resources

Southern Region

1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources

Eastern Region

900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse

1st and Croy St.
Hailey, ID 83333

Butte County Courthouse

248 W. Grand Ave.
Arco, ID 83213

Jerome County Courthouse

300 N. Lincoln, Rm. 301
Jerome, ID 83338

Lincoln County Courthouse

111 W. B St.
Shoshone, ID 83352

Minidoka County Courthouse

715 G St.
Rupert, ID 83350

Gooding County Courthouse

624 Main St.
Gooding, ID 83330

BASIN 36 GENERAL PROVISION

The director recommends that the following general provision be included in the decree determining rights to water from Basin 36:

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in Basin 36:

Water Right No.

None

Source

None

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in the Snake River Basin:

Water Right No.

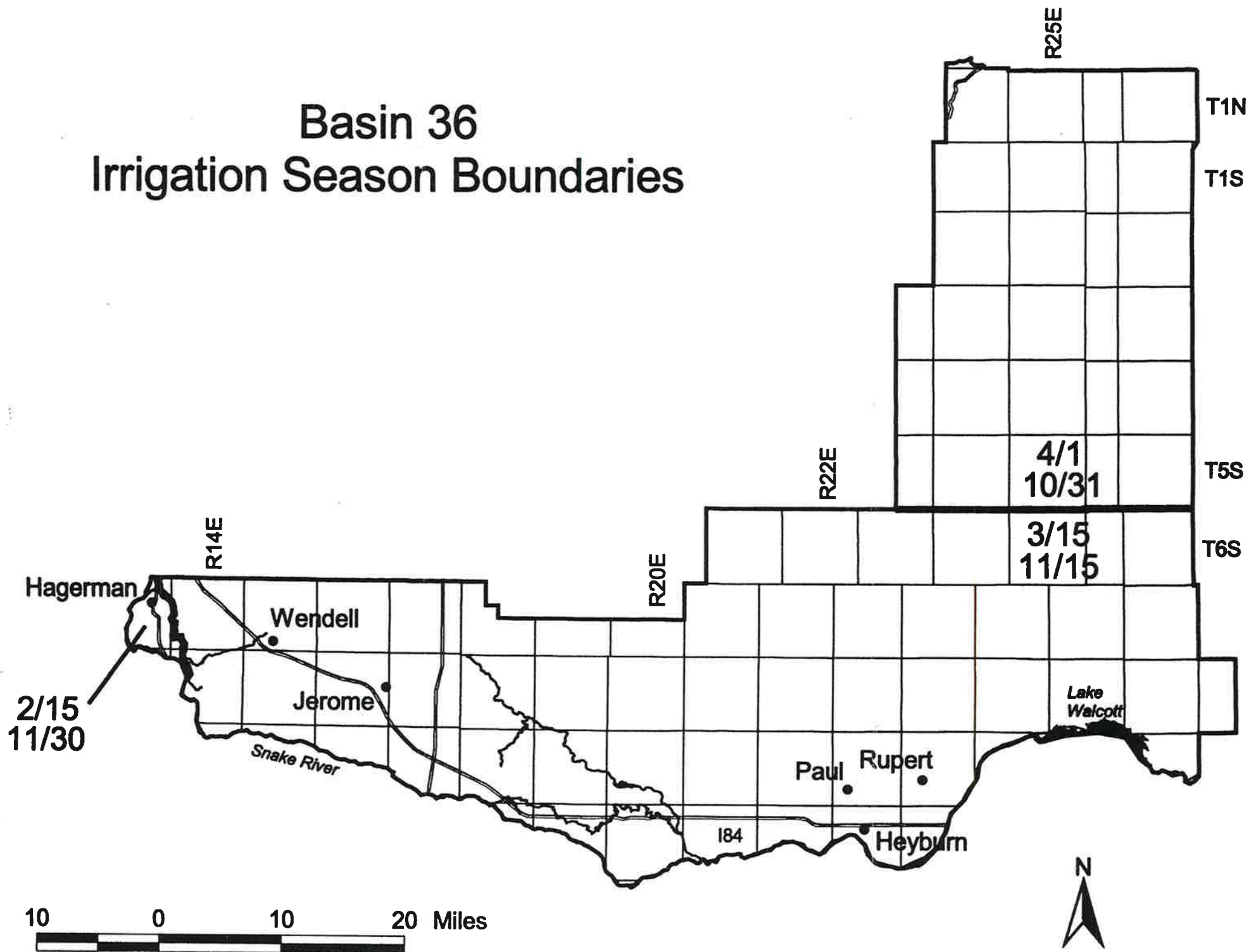
None

Source

None

All water rights with Basin 36 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Basin 36 Irrigation Season Boundaries



**INSTRUCTIONS FOR FILING
OBJECTIONS TO WATER RIGHTS IN THE
SNAKE RIVER BASIN ADJUDICATION
BASED UPON THE SUPPLEMENTAL DIRECTOR'S REPORT**

The attached form is for your use if you file an objection to irrigation season recommendations and/or general provisions, as recommended in the Supplemental Director's Report. You may copy or reproduce this blank form.

To object to more than one water right, you must use a **separate form for each objection** and there must be **only one objector** for each form.

Your objection must be **received and filed** by the court on or before the deadline specified in the notice that the Idaho Department of Water Resources mailed to you. If you are filing 25 or more objections you must contact the Clerk of the SRBA court at least 14 days before the filing deadline and arrange an appointment for filing.

You may attach any explanation or documentation that you feel is necessary to support your objection.

INSTRUCTIONS FOR COMPLETING THE OBJECTION FORM

- A. **Subcase.** Fill in the water right number to which you are objecting at the top of the form in the blank following Subcase. The water right number will become the Subcase Number.
- B. **Name and Address of Person Objecting.** Enter your name, address and daytime telephone in the blanks provided.
- C. **Claimant of Water Right As Listed in Supplemental Director's Report.** Fill in the claimant/owner blank of the water right to which you are objecting as it is listed in the Supplemental Director's Report.
- D. **Elements of the Water Right.** If you disagree with irrigation season or general provisions listed in the Supplemental Director's Report, check the appropriate box(es) and write in the space provided what you think the element should be. If objecting to a general provision, please indicate the number of the provision, and the basin it was reported in.
- E. **Reasons supporting objection.** Attach to the objection form a separate sheet explaining why you are objecting. (this is optional)
- F. **Verification.** You must sign the objection form in front of a notary. By filing this objection form, you are certifying that the objection is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.
- G. **Certificate of Mailing.** Fill in the appropriate blanks for the date and the owner of the water right, and sign the form. Remember that the original objection form must be mailed to the Clerk of the SRBA District Court with copies mailed to the parties listed in this section.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase _____

STANDARD FORM 1a

**OBJECTION TO IRRIGATION SEASON
AND/OR CONJUNCTIVE MANAGEMENT
GENERAL PROVISIONS**

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: _____

Name & address of attorney, if any:

Address: _____

Daytime Phone: (____) _____

**C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORT**

Name: _____

Address: _____

D. ELEMENTS OBJECTED TO:

8. Period (Irrigation Season) of Use

Should be: _____

12. General Provision

Number: _____ **Reported in Basin:** _____

Comments: _____

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of _____)
County of _____)ss.

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Subscribed and sworn to before me on: _____

(Attorney signing in representative capacity)

Notary Public
for _____

Residing at: _____

My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right
at the following address:

Name: _____

Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

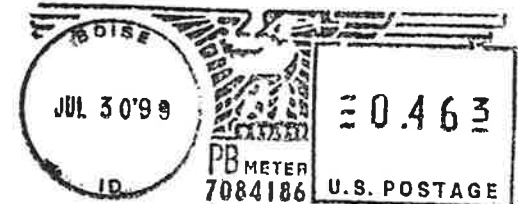
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector or attorney

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

3602258A

RECEIVED
AUG 09 1999
Department of Water Resources

ATTENTION

Not at this address
MICK
NO KNOWN

833502001 IN 06 08/04/99
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

Water Right Number - R36-02258A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

WICKER MARCELLA 1 - 309 E 18TH
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-4906

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/12/1954 17 SOUTHERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

08S 25E 1 NE NE NW 3 (67) MINIDOKA

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 2.280 660.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.280 660.00 495.0

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	25E	1	NE NW	3	40.0	01	IRRIGATION	(67) MINIDOKA
08S	25E	1	NW NW	4	40.0	01	IRRIGATION	(67) MINIDOKA
08S	25E	1	SW NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	25E	1	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	25E	1	NE SW		4.0	01	IRRIGATION	(67) MINIDOKA
08S	25E	1	NW SW		1.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 165.0

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
A3602258

Updated by JR 11-25

Water right number - R36-02258A

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 08/06/97 DSHAFF

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S009700	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-

NO. OF CLAIMS IN POLYGON 1
 CLAIM NUMBERS 36-02258A DATE 7/1 TOTAL ACRES
 AGENT [Signature] FROM RECOMMENDATION 1165
 GEOGRAPHIC INFO SYSTEM 167

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	08S	25E	01	40	40	40	40					4	1						165
GIS				38.16	38.70	38.94	39.57					8.99	2.14						167.09
RECOM				-1	-1	-1	-1					+5	+1						+2
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

B36-DBPOU.DBF 156 ✓
 B36-DBPOD.DBF 168 ✓
 POLYGON # 156 ✓
 ATTRIBUTES OF B36-POU.SHP 156 ✓
 ATTRIBUTES OF B36-POD.SHP 168 ✓ NENENW-1

claimed
 * there are less than 40' in the NE 1/4's, but more than claimed in the two SW 1/4's

reformatted

AJ0749NP
No. R36-02258A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/25/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARCELLA WICKER 309 E 18TH RUPERT ID 83350 (208) 436-4906	05/12/1954	IRRIGATION	04-01 10-31	2.28 CFS	660.00 AFA
TOTAL DIVERSION:					2.28 CFS	660.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R25E S01 Lot03(NENENW)

MINIDOKA 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
08S	25E	1	:									03-40	04-40	40	40			04	01	:	165.0
TOTAL ACRES																				:	165.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILME

Water Right Number - R36-02258A

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WICKER

MARCELLA

1 - 309 E. 18TH

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-4906

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/12/1954 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 25E 1 NE NE NW 3 (67) MINIDOKA+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.280 660.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.280 660.00 495.0+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 25E 1 NE NW 3 40.0 01 IRRIGATION (67) MINIDOKA
08S 25E 1 NW NW 4 40.0 01 IRRIGATION (67) MINIDOKA
08S 25E 1 SW NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 25E 1 SE NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 25E 1 NE SW 4.0 01 IRRIGATION (67) MINIDOKA
08S 25E 1 NW SW 1.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 165.0

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
No Remarks found.

MICROFILMED

JAN 26 1993

Water right number - R36-02258A

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - +

+ - - - - Old Water Right Numbers - - - - +
A3602258

+ - - - - Conditions of Approval - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - +
No Comments Found

+ - - Audit Fields - - +
03/11/92 ROBERTSO

+ - - - - Adjudication Rights Dates and Flags Area - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009700	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02258A

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				N		Sw 8-12-91	OB	
POINT OF DIV	Y			N	1		Y	
SOURCE				N				
PLACE OF USE	Y			Y	4			
DIV. AMOUNT CFS/VOLUME	Y			Y	6			
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS				Y	6			

"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.

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02258A

LAST: WICKER
ADDRESS: 309 E. 18TH
CITY: RUPERT
PHONE NUMBER: 208-436-4906

FIRST: MARCELLA
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Mrs Marcella WICKER

PHONE NUMBER: (208) 436 4906

DATE OF FIELD EXAM: 12/24/90

APPOINTMENT MADE: Y() N(✓)

TIME: 10:00 A(M) P()

Also Called
ACCOMPANIED BY: Allan Bryngelson

2:00 PM.
PHONE NUMBER: (208) 436-6883

RELATIONSHIP TO CLAIMANT: None

DIRECTIONS TO PROPERTY / REMARKS:

Phone Contacts

R.V. Storsell 12/24/90

MICROFILMED

JAN 26 1993

A. AJ CLAIM: # A36-02258A PRIORITY DATE: 05-12-1954 STAGE: L

B. WR RECORD: # 36-02258 PRIORITY DATE: 05-12-1954 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
05-12-1954

REVIEWED BY B.V. K.

DATE

11/21/90

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JAN 26 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02258A	08S	25E	1	NE	NE	NW	3	MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02258	08S	25E	1		NE	NW	3	MINIDOKA
36-02258	08S	25E	1		SW	SW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A36-02258 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
~~Y~~ N
~~N~~

REMARKS:

MICROFILMED

JAN 26 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
	Same		NE	Same			

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: B.V. Z. DATE: 12/21/90

MICROFILMED

JAN 26 1993

A. ROOT WATER RIGHT NUMBERS: A36-02258
A36-02258A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	25E	1	NE	NW	3	WICKER, MARCELLA WICKER, HOWARD H.	A36-02258A /40.0	- / 36-02258 /40.0		39	40
08S	25E	1	NW	NW	4	WICKER, MARCELLA WICKER, HOWARD H.	A36-02258A /40.0	- / 36-02258 /40.0		39	40
08S	25E	1	SW	NW		WICKER, MARCELLA	A36-02258A /40.0	- / *	42.0	39	40
08S	25E	1	SE	NW		WICKER, MARCELLA WICKER, HOWARD H.	A36-02258A /40.0	- / 36-02258 /40.0	39.0	39	40
08S	25E	1	NE	SW		WICKER, MARCELLA MAINLINE RANCHES INC.	A36-02258A / 4.2 A36-02258 / 6.0	* - / 36-02258 /25.0	32.0	9.0	4.0
08S	25E	1	NW	SW		WICKER, MARCELLA UNION PACIFIC RAILROAD CO. UNION PACIFIC RAILROAD CO.	A36-02258A / 1.0 A36-04203 / A36-04204 /	* - / - / 36-04204 /	33.0	2.0	1.0
TOTAL ACRES							A36-02258A	165.20	146.00	167	165.0

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

phone

* within Tolerance OK
See 8-12-91

* Unrecorded Transfer. See ^{phone} Conversation Record enclosed

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JAN 26 1993

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 165⁰

REVIEWED BY: B.V. 74.

DATE: 12/24/90

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JAN 26 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02258A IRRIGATION	FROM 03-15 TO 11-15	3.300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.300 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02258 IRRIGATION	FROM TO	4.320 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.320 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</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:

MICROFILMED

JAN 26 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 3.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.320 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?

FIELD
DATABASE EXAMINER

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

Y

☒

FLOW MEASUREMENT

B.

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02258A	GROUNDWATER	WICKER, MARCELLA	3.300	0.019	660	4
A36-02258	GROUNDWATER	MAINLINE RANCHES INC.	2.220	0.015	598	4

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-04203	MUNICIPAL	UNION PACIFIC RAILROAD CO.	FROM 01-01 TO 12-31	.220 CFS	
A36-04204	MUNICIPAL	UNION PACIFIC RAILROAD CO.	FROM 01-01 TO 12-31	.330 CFS	

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JAN 26 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 165 x 0.02 CFS/ACRE = 3.3 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 495.0 AF/A

ACRES 165 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 495 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 165 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 660 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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JAN 26 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~3.300~~ <u>2.28</u>	DATABASE EXAMINER <u>660</u>	DATABASE EXAMINER 495.0 <u>495</u>
TOTAL FOR THIS RIGHT		~~3.300~~		495.0

REVIEWED BY:

R.V.W.

DATE:

12/24/90

C05

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JAN 26 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(☒)	()
()	()
(<u>1</u>)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02258

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.320

EXAMINER
4.32

CFS

~~NO SPLITS~~

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02258	2.220	- B	2.04	36-02258	4.320
A36-02258	A36-02258A	3.300	- A	2.28	36-02258	4.320
TOTAL CFS		5.520				4.320

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
N
Y

See Remarks

REMARKS:

The diversion rate of Licensed WR 36-02258 (4.32 cfs) is divided proportionately as follows:

Claim	Area	Div. Rate	Calculations
A36-02258	147 ac.	2.04 cfs	$\frac{147}{312} (4.32) = 2.04 \text{ cfs}$
A36-02258A	165 ac.	2.28 cfs	$\frac{165}{312} (4.32) = 2.28 \text{ cfs}$
Total	312 ac.		Total 4.32 cfs

AUTHENTICATION:

SIGNATURE: R.V. Worstell

DATE: 12/26/90

NAME OF FIELD EXAMINER: R.V. WORSTELL

TITLE: SR. WR. Agent

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JAN 26 1993



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 4, 1979

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery rectified by optical scanning
Where double or mismatched image occurs use the
mean of image position for map point

T8S R25E

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JAN 26 1993

R25E

R26E

THIS MAP COMPLIES
FOR SALE BY U.S. GEOLOGICAL SURVEY

NOT TO SCALE

09

35 36

2

36 3
1 6

T1729
1204

LOT 4

LOT 3

Tract-HEL

T1045
~~1727~~
2051

Tract is HEL

⊗ it appears well is here

82.9

82.3

2
65.1

3
23.1

5
19.5

7
22.9

8
23.2

T1686
1589

146.9

Tract-HEL

2 1
11 2

T1058
1775

Tract-HEL

1 6
12 7

8.9

A36-02258A

T8S R25E

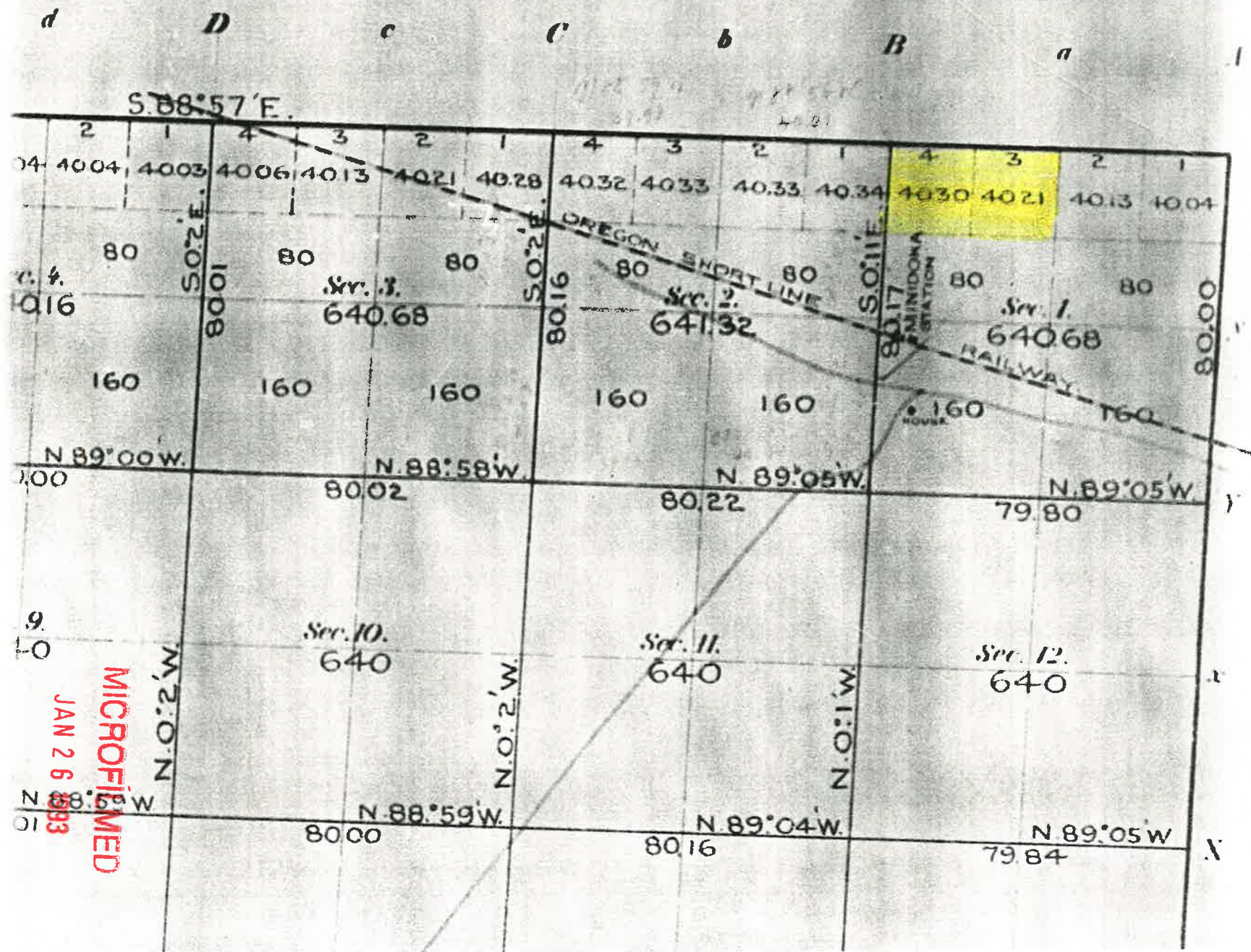
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JAN 26 1993

WICKER

V^o 25 East of the Boise Meridian.

V^o 25 East of the Boise Meridian.

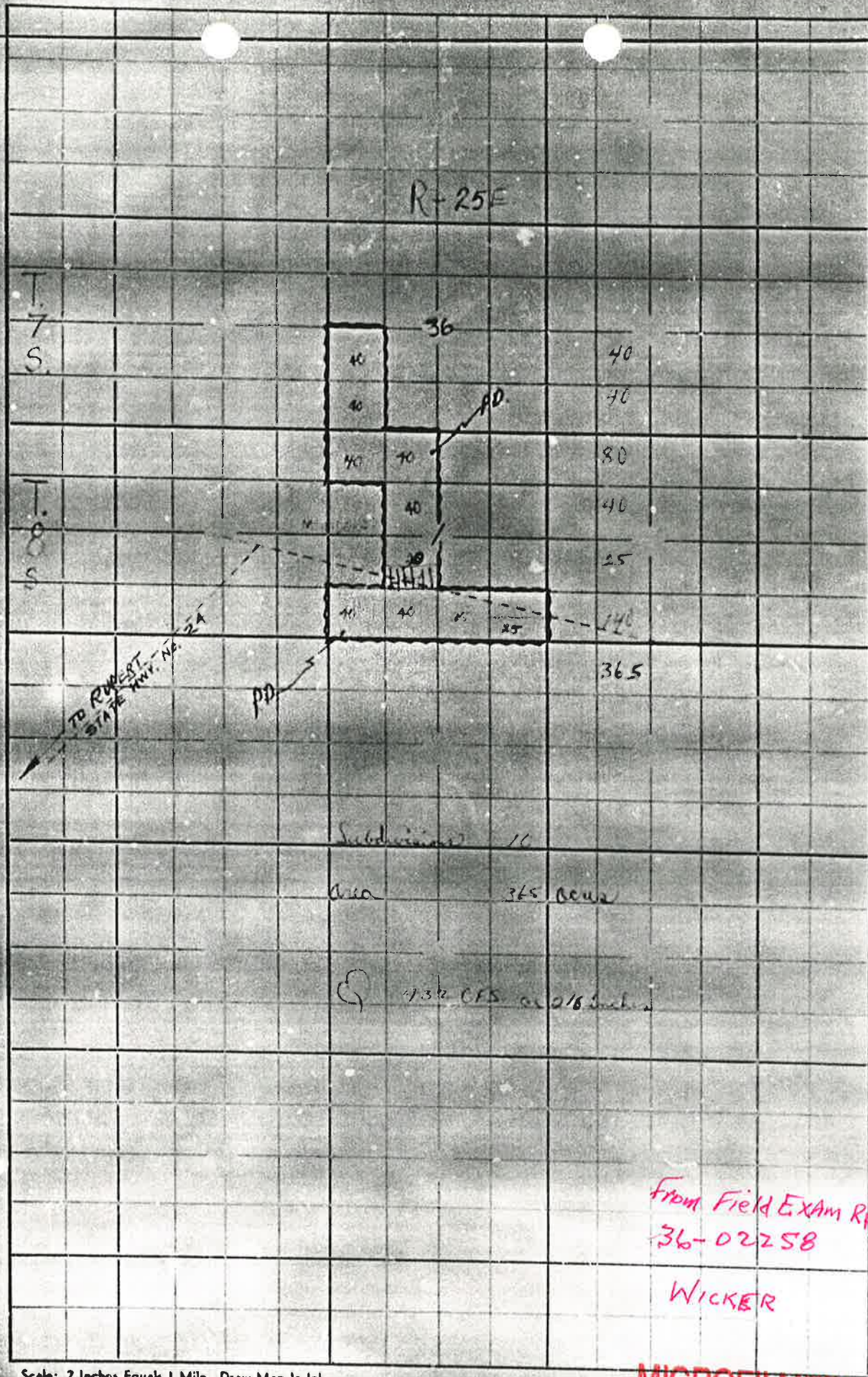
*Monticola*

Results

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JAN 26 1993

Nov. 1.
 By E. C. C.
 at 11.30
 This P. M.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

From Field Exam RPT.
36-02258
WICKER

MICROFILMED
JAN 26 1988

phone

CONVERSATIONS MEMORANDUM

NAME OF PARTY Mrs. Marcella Wicker & Mr. Allan Bryngellson
EMPLOYEE: ROBERT V. Worstell

DATE 12/24/90
FILE A36-02258A

RE: Date of Transfer of P/U on WR 36-02258

Mrs. Wicker recalled that the land had been traded with that portion of this water right quite a few years before 1973. She then referred me to Mr. Allan Bryngellson who had been farming in that area ~~at~~ in the 1960's.

Mr. Bryngellson could not recall the exact date, but he was quite sure the land & water exchange took place in the late 1950's - shortly before he started farming in that area. The exchange was made to "square up" the Wicker farm and involved some of the land of the village of Minidoka.

R. V. Worstell
Water Right Agent.

Phone No.'s

Mrs. Marcella Wicker (208)-436-4906

Mr. Allan Bryngellson (208)-436-6883

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JAN 26 1993