

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: A29-07190
Date Received: 4/09/1990
Receipt No: E013998
Received By: S-1-90
SV

MAY - 1 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VELMA R. IPSEN REVOCABLE TRUST 208-766-2755
Address: C/O VELMA IPSEN
RT. 1 BOX 220
MALAD, ID 83252

2. Date of Priority: APR 29, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	21	NW	NW	SW		BANNOCK

5. Description of diverting works:
120'X8" WELL WITH 75HP PUMP. MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.120		

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

8. Total consumptive use is 93.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	37E	21	NE	SW		IRR	22.0
			NW	SW		IRR	38.0

Section Acres 60.0

A29-07190

Page 1

Date: 04/24/90

*Copy of Trust
attached to
A29-11929.*

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: BANNOCK

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: 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 Organizations:

I do solemnly swear or affirm that I am Trustee of Title

Velma R. Ipsen Revocable Trust, that I have signed the foregoing
Organization
document in the space below as Trustee of

Velma R. Ipsen Revocable Trust and that the statements contained in the
Organization
foregoing document are true and correct. x Velma R. Ipsen

x Wilma R. Ipsen
Signature of Authorized Agent

Title and Organization	Address	City	State	Zip
Trustee Velma R. Tjorn Rencable Trust				

4/30/90 Date

State of Idaho)
County of *Blaine*) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of April 1990

Notary Public

me this 30th day
[Signature]
 Notary Public

Seal

Residing at Melrose Park
My Commission Expires 2/17/93

MICROFILMED

NOV 13 1982

RIGHT NUMBER: 29-7190
NAME AND ADDRESS: J KELLY FLY
PO BOX 341
DOWNEY ID 83234

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.12 CFS
210.0 AFY

PRIORITY DATE: 04/29/1974

POINT OF DIVERSION:

T11S R37E S21 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.120 CFS 210.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S21	NESW	22.0	T11S R37E S21	NWSW	38.0
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60 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: License

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07190	11S 37E	21	NW	NW	SW			BANNOCK		

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	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07190	11S 37E	21		NW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	21	NW	NW	SW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-07190

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	21	NE	SW		FLY, J KELLY	A29-07190 / 22.0	29-07190 / 22.0	33.0		
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00589	/ 5.7	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-04060	/ 5.7	29-04060 /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00052	/ 5.7	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00053	/ 5.7	- /			
11S	37E	21	NW	SW		FLY, J KELLY	A29-07190 / 38.0	29-07190 / 38.0	41.0		

ADDITIONAL POU FOUND

TOTAL ACRES A29-07190 60.00 60.00 74.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-07190	GROUNDWATER	FLY, J KELLY	1.120	0.018		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

AJ0749NP
No. A29-07190

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

DATE: 10/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J KELLY FLY PO BOX 341 DOWNEY ID 83234 (208) 897-5370	04/29/1974	IRRIGATION	04-15 10-15	1.12 CFS	
TOTAL DIVERSION:					1.12 CFS	
CONSUMPTIVE USE:						93.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T11S R37E S21 NWWSW BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
11S	37E	21	:					:					:			22	38	:					:	60.0
TOTAL ACRES																							60.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/10-7-98

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

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

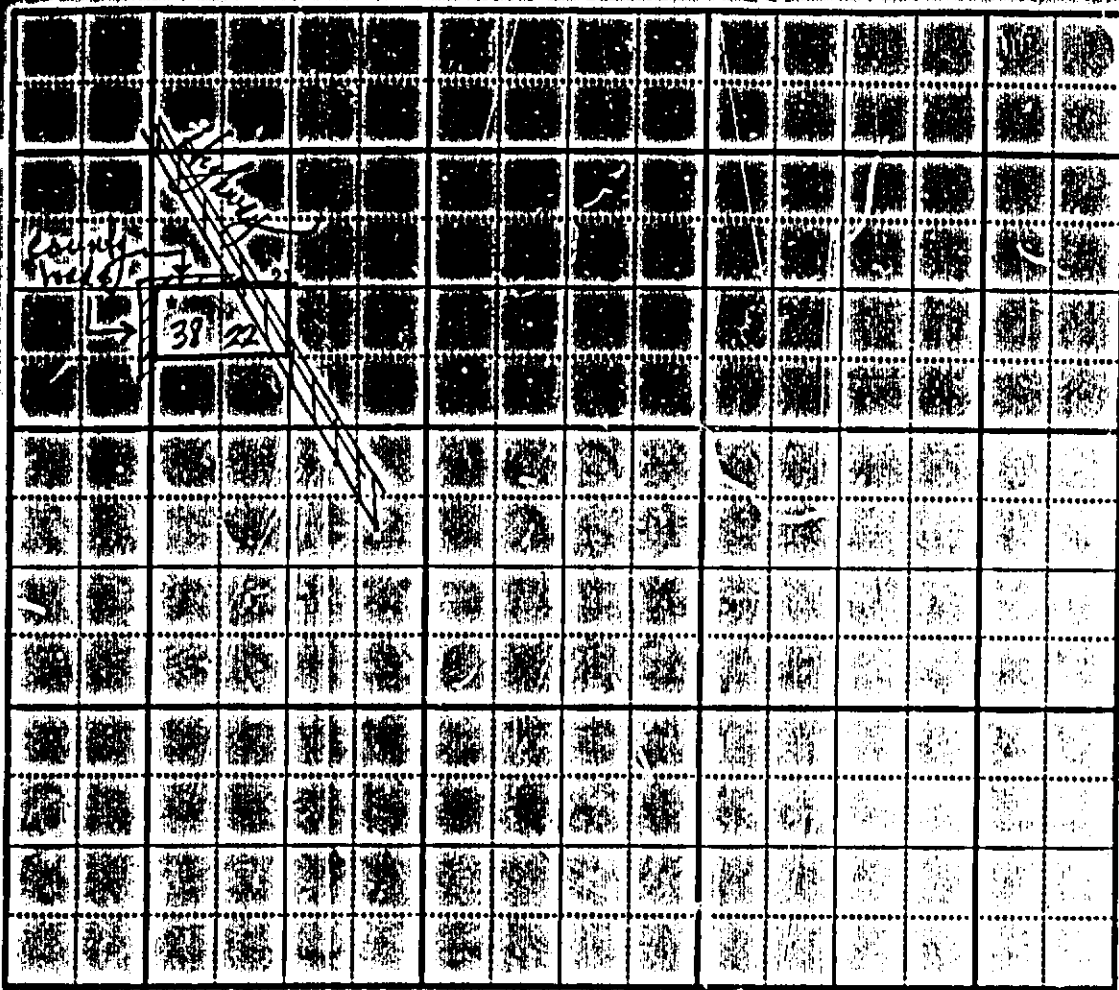
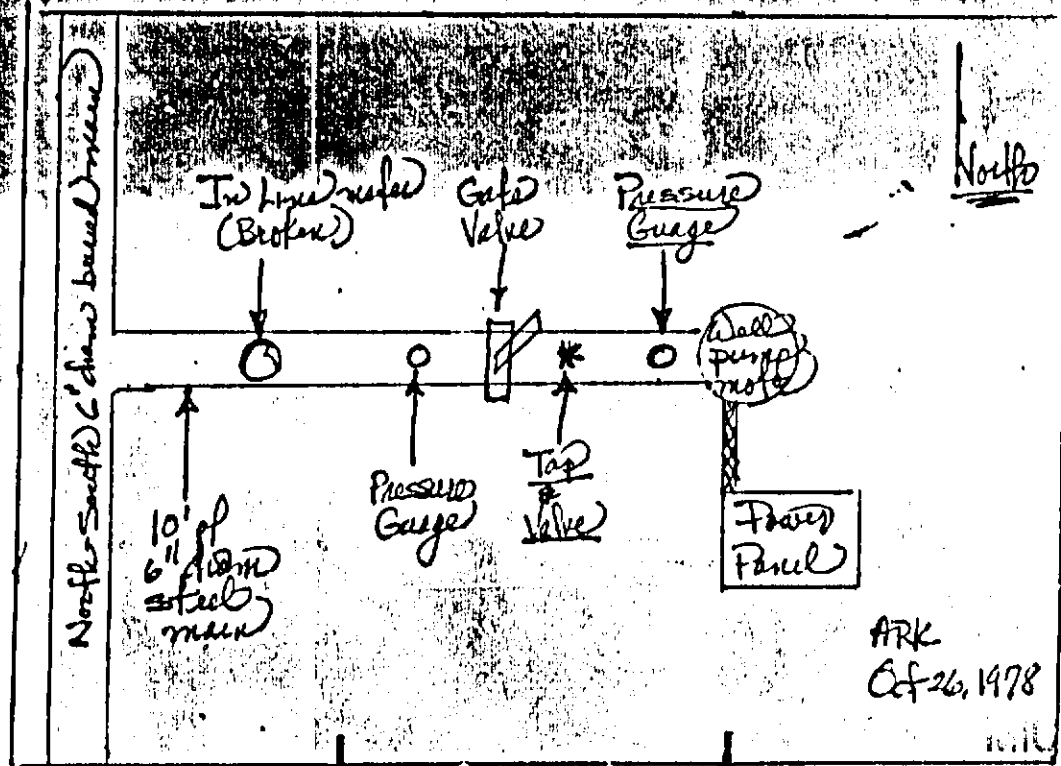


Diagram of System



ARK
Oct 26, 1978

MICROFILMED

NOV 18 1992

Log for claim A29-07190

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	21	NESW	22	27	
11s37e	21	NWSW	38	39	
Totals:			60	66	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority April 29, 1974 Amount 1.12 cfs

THIS IS TO CERTIFY, that IPSEN BROTHERS
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 29-7190 issued pursuant to Application for Permit dated April 29, 1974,
and has submitted proof to the Department of Water Resources on July, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.12 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u>	at <u>1.12</u> cfs and	<u>210</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.12 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
210 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 21, Twp. 11S, Rge. 37E, B.M.,
in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW 1/4				SW 1/4				SE 1/4				Totals
			NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	
<u>11S</u>	<u>37E</u>	<u>21</u>									<u>22</u>	<u>38</u>							<u>60</u>

Total number of acres irrigated 60

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of

May

19 79

[Signature]
Director

MICROFILMED

Identification No. 29 7190

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Ipsen Bros.
post office address Route #1, Malad, Idaho PH: 766-2674
2. Source of water supply ground water which is a tributary of - - - -
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township 11S
Range 37E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.40 for Irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or ~~acre feet per second~~)
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or ~~acre feet per second~~)
Amount 0.03 for Stockwater purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or ~~acre feet per second~~)
5. Total quantity to be appropriated:
a. 1.47 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 15 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 8,500.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township 11S
Range 37E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 100 cattle

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

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

[illegible]

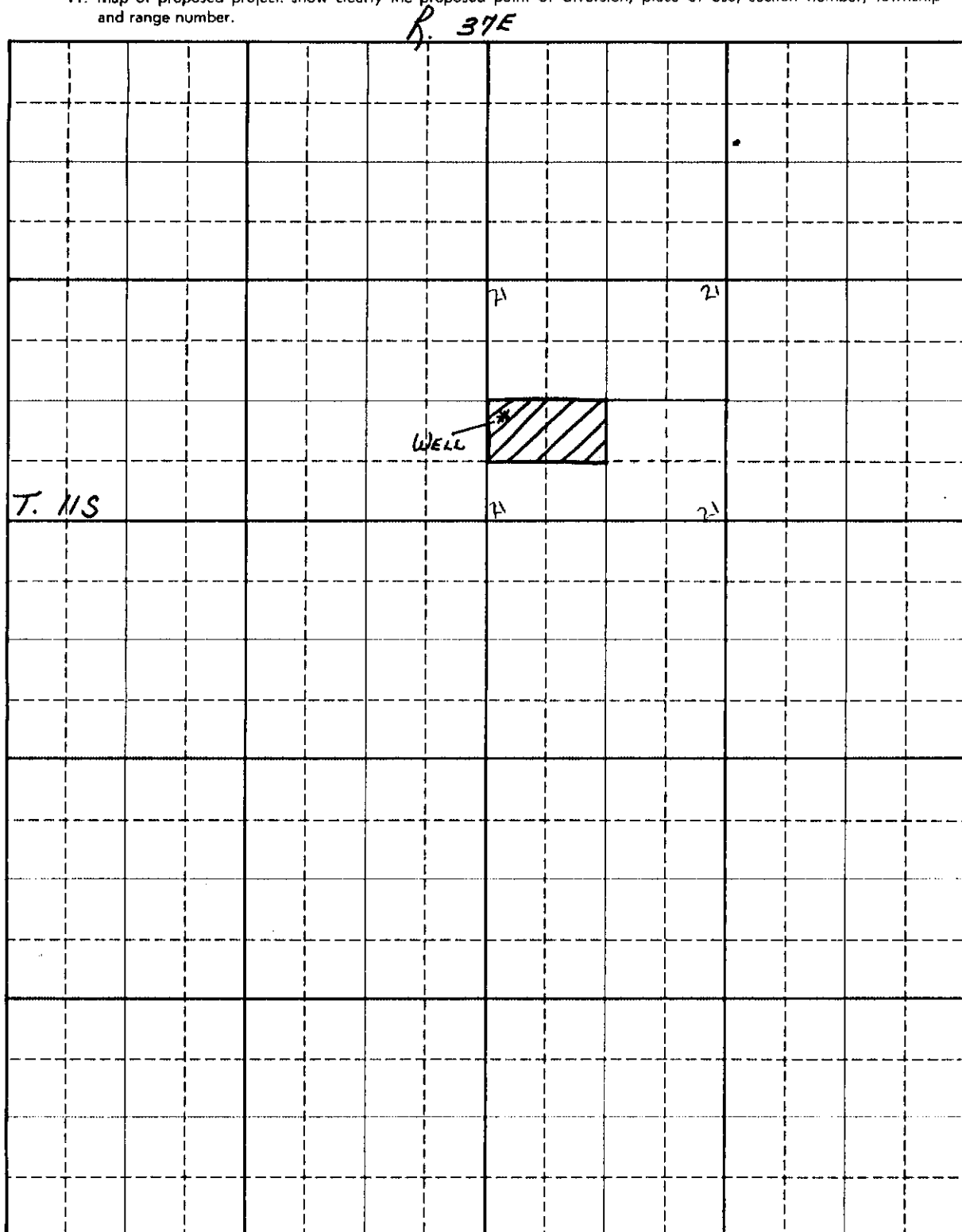
Total number of acres to be irrigated..... 70

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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

Sydney E. Jensen
(Applicant)

Received by CB Date 4/27/74 Time 11:45 A.
 Preliminary check by RDC Fee \$ 35.00
 Receipted by CB Date 4/29/74 Receipt # 2858
 Publication prepared by CB Date 5/2/74
 Published in Idaho State Journal
 Publication dates 5/2/74 5/16/74
 Publication approved MB Date 5-17-74
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by RDC MB

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7190, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1979.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 4 day of _____ June 19 74.


 Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Ipsen Bros. JUL 27 1977
Post office address Rt. 1, Box 218, Malad, ID Department 766-2674
Phone Eastern District Office
Person to contact Velma or Lynn Ipsen Phone _____

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

3. Water will be used for the following purposes:

Amount 1.40 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 15 to Oct. 15
(mo.-day) inclusive (mo.-day)

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

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

Amount 0.03 c.f.s. for Stockwater (100 cattle)
AF/Annum (nature of use)

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.47 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 37E E/W, B.M., Section 21, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, Bannock County

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

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

Other Points of Diversions:

Description of diverting works: 16" casing, 8" column, 40 hp motor, 60' lift

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

70

T
11
S

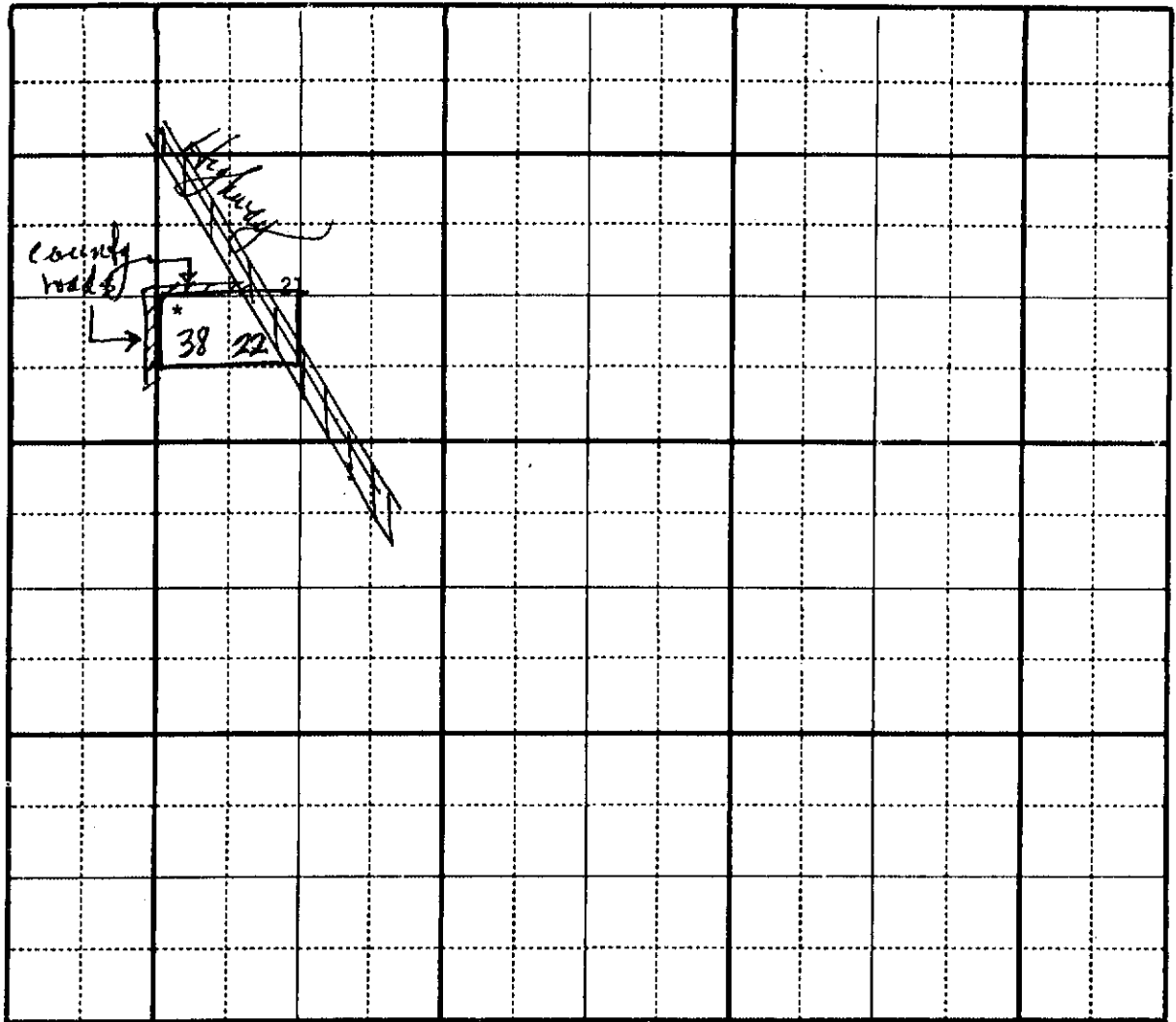
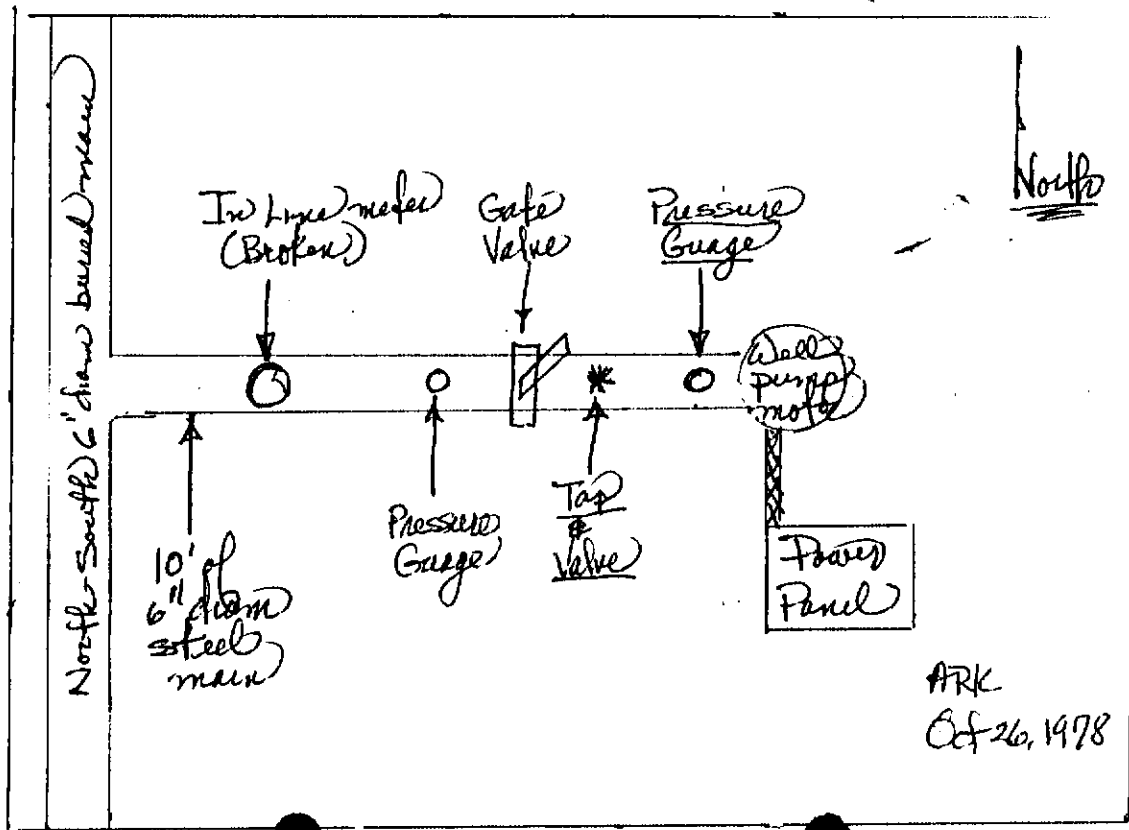


Diagram of System



DATE OF EXAM May 12, 1978

ACREAGE
Found 60 acres
Recommended 60 acres

Irrigation Requirement 35 Ac Ft/Ac

USE
Irrigation Q = 1.12 c.f.s. V = 210 AF/Ann. from April 15 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 X

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

Exchange? yes _____ no X

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 1.12 cfs Method of measurement Pitot Tube

Total Q recommended 1.12 cfs Meter No. n/a Type n/a Condition n/a

Total V recommended 210 AF/yr

Recommended Amendments:

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

MEASUREMENT CALCULATION: See reverse side for Pitot tube measurement & calculation

$Q = 1.12 \text{ cfs}$

$V = 60 \times 3.5 = 210 \text{ AF/yr}$ $1.9835 \times 185 \times 1.12 \text{ cfs} = 410.98 \text{ AF/yr}$

SYSTEM DESCRIPTION:
Groundwater is diverted from a 75' deep well having a 16" diam casing by a 40 HP US Electrical Motors "High Thrust" pump motor 3ph 480V 3-8885-02 (aka R2089642) and by a Johnson Vertical turbine pump TP-27220. Average irrigated by pressurized sprinkler system consisting of 6" buried black pipe and 1" waded & rain machine having 52 - 7/32" diam nozzles.

REMARKS:
Measuring device broken - System shown, operated & described by Lyman Tipton
No domestic or stockwater diversion from this source.
No Preexisting rights

Examiner's Signature Anthony R. Kozlowski Date Oct 26, 1978

Checked by Robert A. Parker Date Nov 30, 1978

Approved by _____ Date _____

AJ5809NP
No. A29-07190

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J KELLY FLY PO BOX 341 DOWNEY ID 83234 (208) 897-5370	04/29/1974	IRRIGATION	04-15 10-15	1.120 CFS	
					TOTAL DIVERSION:	1.120 CFS
					CONSUMPTIVE USE:	93.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R37E S21

NWNWSW

BANNOCK 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
11S	37E	21	:											22	38					:	60.0
																				TOTAL ACRES	60.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-04060

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/10-7-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 05/02/90 VERNER 07/26/94 THOMPSON 03/29/95 POST-STD 10/08/98 JHOAGLAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 8, 1998

J KELLY FLY
PO BOX 341
DOWNEY ID 83234

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A29-07190

Dear Mr. Fly:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

JC 9/98 OK

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A29-07190
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Velma R. Ipsen
4. New Owner/Claimant(s) J. Kelly Fly
Name connector (Check one): ☒ AND ☐ OR ☐ AND/OR
New Mailing Address P.O. Box 341 Downey, Id. 83234
City, State and ZIP Code Downey, Id. 83234
New Telephone Number (208) 847-5370
5. Date you acquired the property June 16, 1992
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) J. Kelly Fly Date Sept 23, 9

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

DEED OF ADMINISTRATOR

THIS INDENTURE, made this 15th day of June, 1992, between VELMA R. IPSEN, Administrator of the Estate of Parry Ipsen, Deceased, and VELMA R. IPSEN, a widow, GRANTORS, the parties of the first part, and JOHN KELLY FLY, a single person, GRANTEE, whose current address is P.O. Box 341, Downey, ID, 83234

WITNESSETH:

That the said parties of the first part do by these presents GRANT, BARGAIN, SELL and CONVEY unto the said party of the second part and to his successors and assigns forever, the following described real property situated in the County of Bannock, State of Idaho, to-wit:

Township 11 South, Range 37 East, Boise Meridian:

Section 21: N $\frac{1}{2}$ SW $\frac{1}{4}$

LESS highway and railroad rights of way.

EXCEPTING THEREFROM: All that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 11 South, Range 37 East, Boise Meridian, lying and being located East of the Union Pacific Railroad right-of-way.

TOGETHER WITH all water and water rights, and in particular that irrigation water well located in the Northwest Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 11 South, Range 37 East, Boise Meridian, together with all pumps, pipes and sprinkler equipment appurtenant thereto.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto the said party of the second part his successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands the day and year first above written.


VELMA R. IPSEN, Administrator


VELMA R. IPSEN

2-2

STATE OF IDAHO)
 :
COUNTY OF ONEIDA)

92009050

On this 15th day of June 1992, personally appeared before me, the undersigned notary public in and for the State of Idaho, VELMA R. IPSEN, known to me to be the Administrator of the estate of Parry Ipsen, deceased, and acknowledged to me that she executed the foregoing as such Administrator, and personally appeared VELMA R. IPSEN, individually, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Notary Public for Idaho
Residing at Malad City, Idaho
My Commission Expires: 5-6-97

NOTARY SEAL

92009050
NO. _____
REGISTERED AT THE CLERK'S OFFICE
FIRST AMERICAN TITLE
'92 JUN 16 P4:10
OFFICIAL CHARGE TO THE 565
LAWYER
FEE 6.00 DEED 15