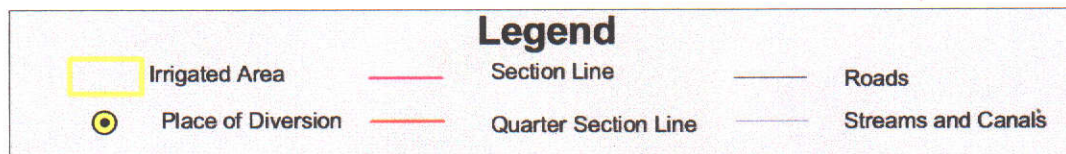
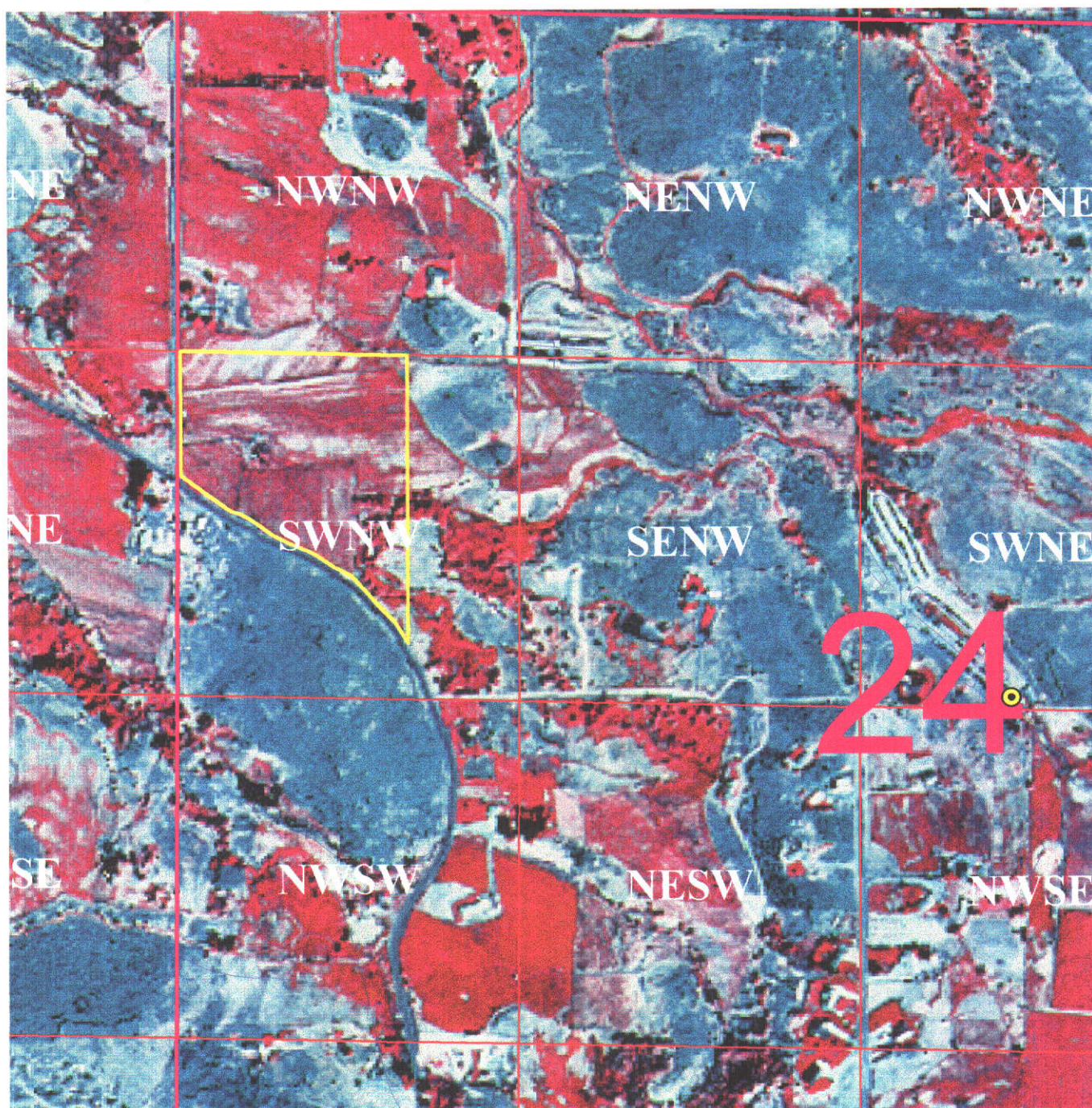


Water Right Claim Number 47-14982
Township , 9S14E

03/05/2001



400 0 400 800 Feet

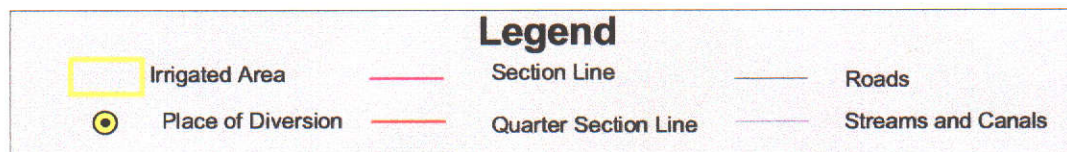
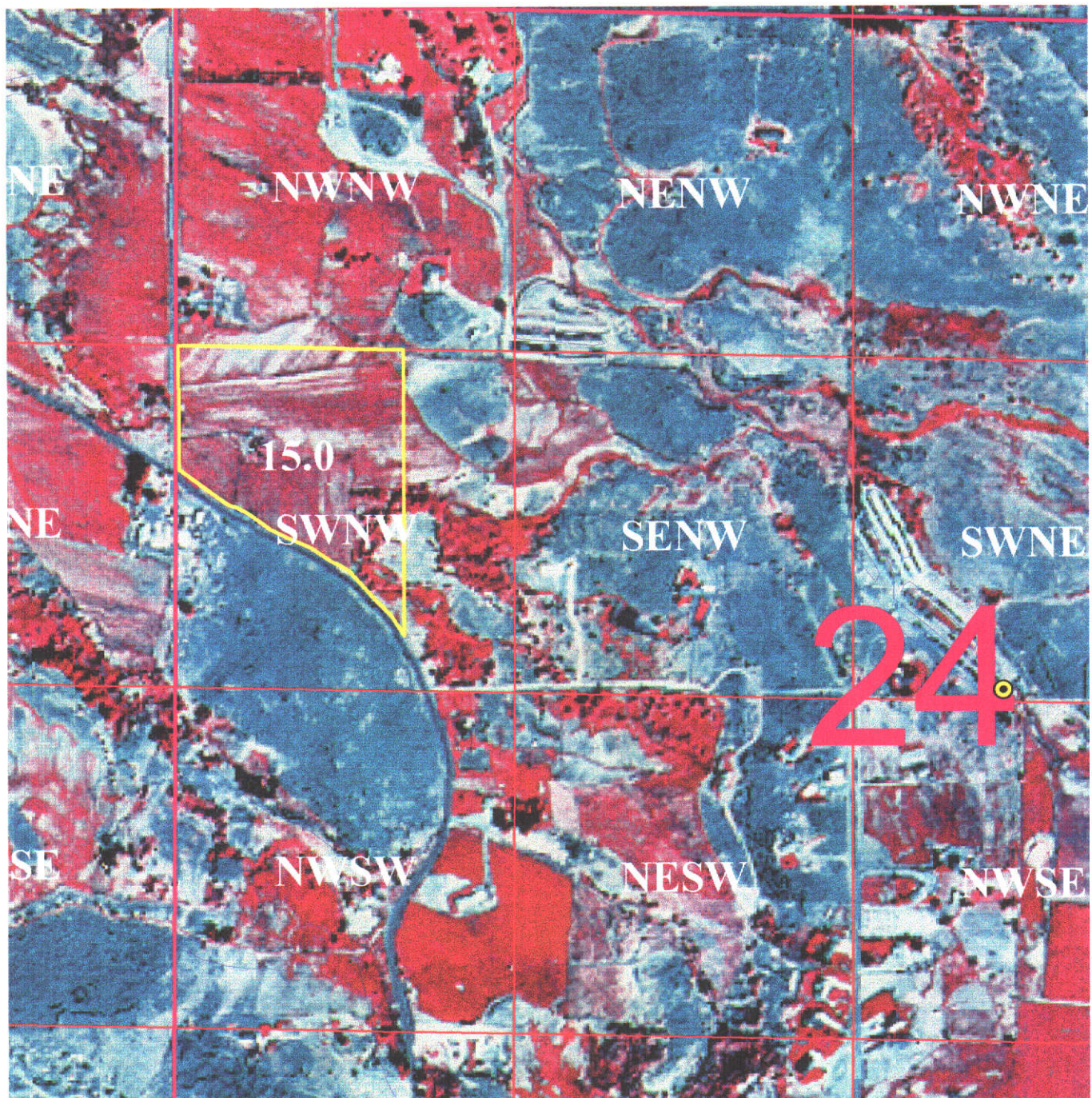


03/05/2001



Water Right Claim Number 47-14982
Township , 9S14E

03/05/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

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: **A47-14982**
Date Received: 8/20/1990
Receipt No: S012581
Received By: _____

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

1. Name: PIERCE PIERCE & WEAVER 208-922-5012
Address: 130 N. BROADWAY
BUHL, ID 83316

2. Date of Priority: MAR 15, 1930

3. Source: UNNAMED STREAM Trib. to: SILVER CREEK
WASTE DRAIN SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	24	SW	NE			TWIN FALLS

5. Description of diverting works:
EARTHEN DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.330		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	24	SW	NW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
					Total Acres	15.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 847-14982

Date Received _____

Receipt Number 5012581

RECEIVED

JUL 20 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

50
15
50 12 1/2
\$115

Please type or print clearly

1. Name of Claimant (s) Pierce Pierce & Weaver Phone (208) 5438268Mailing Address 130 N. Broadway Buhl, Id Zip 833162. Date of Priority (Only one (1) per claim) MARCH 15, 19303. Source of water supply (a) UNNAMED STREAM AND WASTE DRAIN
which is tributary to (b) SILVER CREEK4. a. Location of existing point of diversion is: Township 9S Range 14E Section 24,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of TWIN FALLS

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. EARTHEN DAM to OPEN DITCH.

MICROFILMED

MAR 16 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from Apr. 1 to Nov 1 amount .33 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .33 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .33 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>9S</u>	<u>14E</u>	<u>24</u>							<u>15</u>										<u>15</u>

Total number of acres irrigated 15

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

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:

MICROFILMED

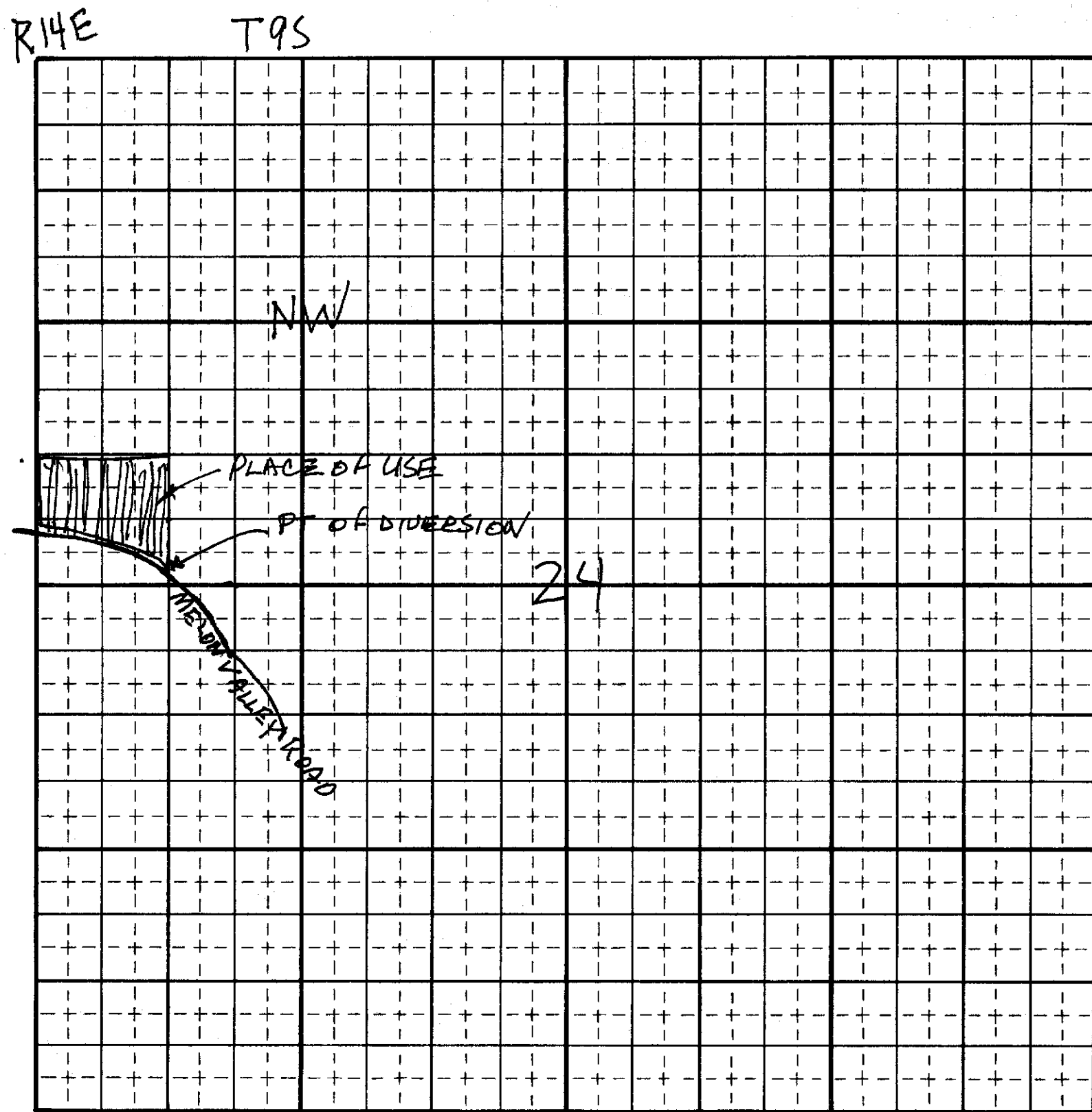
MAR 16 1993

Last Name WEAVER Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

MAR 16 1993

Last Name WEAVER Ident No. _____

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 _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PARTNER Title _____

of PIERCE, PIERCE & WEAVER Organization _____, that I have signed the foregoing

document in the space below as PARTNER Title _____ of PIERCE, PIERCE & WEAVER Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization PIERCE, PIERCE & WEAVER Date 3/26/90

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of July 1990

SEAL

Notary Public Shirley Hudson

Residing at Buhl Idaho

My Commission Expires 8-26-93

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

MAR 16 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 21, 1990

Re: A47-14981, 14982, 14983, 14984, 14985

Weaver Weaver & Melanson
130 N. Broadway
Buhl, ID 83316

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 16 1993

08/20/90
15:52:48

PIERCE, PIERCE & WEAVER

ADJUDICATION CLAIMS	0410162 9337 6490	\$180.00
ADJUDICATION CLAIMS	0410162 9337 6490	\$118.00
ADJUDICATION CLAIMS	0410162 9337 6490	\$115.00
ADJUDICATION CLAIMS	0410162 9337 6490	\$305.00

\$718.00

CHECK 1184

WR/NO: A47-14981 A47-14985 A47-14982 A47-14983 A47-14984

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

MICROFILMED

MAR 16 1993

FELTON & FELTON
Attorneys at Law

Professional Center
1020 Main

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589
(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

March 8, 1995

RECEIVED

MAR 09 1995

Department of Water Resources
222 Shoshone Street East
Twin Falls, Id 83301

Department of Water Resources
Southern Region

RE: Water Rights # A47-14981
Water Rights # A47-14982
Water Rights # A47-14983
Water Rights # A47-14984
Water Rights # A47-14985

Dear Ladies and Gentlemen:

Included herein please find the Affidavit of Robert J. Pierce which is submitted as the evidence of priority with respect to the priority date of the above noted claims.

I look forward to continuing to work with you in this matter.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js
Enclosure (6)
pc: Robert J. Pierce
Neola Weaver
David and Florence Pierce

RECEIVED

MAR 09 1995

AFFIDAVIT OF ROBERT J. PIERCE

Department of Water Resources
Southern Region

RE: Water Rights
A47-14981
A47-14982
A47-14983
A47-14984
A47-14985

See file A47-14985
for original
notarized
affidavit
Df 3/9/95

STATE OF IDAHO

County of Twin Falls

)
) ss
)

ROBERT J. PIERCE, being first duly sworn upon oath,
deposes and states as follows:

(1) My name is Robert J. Pierce. I have personal knowledge of the facts and matters set forth in this affidavit. This affidavit is filed as evidence of priority in support of the five water rights noted above which are owned by the partnership, Pierce, Pierce and Weaver.

(2) Pierce, Pierce and Weaver purchased the property in question from Robert C. and Neola Weaver on July 6, 1976. Robert C. and Neola Weaver purchased the property from Ivan Nipper on July 4, 1973.

(3) Your affiants assertions herein are therefore based on personal knowledge from July 6, 1976, and assertions prior to this time are based upon numerous conversations with Robert C. Weaver, Ivan Nipper and several neighbors who have had the opportunity to observe this land since approximately 1930.

(4) With respect to water right A47-14981, Pierce, Pierce and Weaver has beneficially used 8.0 cfs from the J3 Coulee to raise fish since December 29, 1972. The water for fish

1 propagation is used from January 1st until December 31st of each
2 year.

3 (5) With respect to water right A47-14982, Pierce,
4 Pierce and Weaver has been beneficially using the water to irrigate
5 from April 1st until November 1st of each year.

6 .33 cfs per second is used during the irrigation period. Said
7 irrigation water has been beneficially used since March 15, 1930.

8 (6) With respect to water right number A47-14983
9 Pierce, Pierce and Weaver claims a water right of .8 cfs which is
10 used for irrigation purposes from April 1st to October 30th of each
11 year. Under the same water right, Pierce, Pierce and Weaver also
12 claims .06 cfs which is used from January 1st until December 31 of
13 each year as stockwater. This water right has been beneficially
14 used as described above since March 15th, 1930.

15 (7) With respect to water right number A47-14984
16 Pierce, Pierce and Weaver claims a water right of 1.40 cfs from
17 March 15th to November 15th of each year for irrigation purposes.
18 With respect to this water right, Pierce, Pierce and Weaver also
19 claims .03 cfs water right from January 1st until December 31 of
20 each year for stockwater. This water right has been beneficially
21 used as described above since March 15th, 1930.

22 (8) With respect to water right number A47-14985
23
24

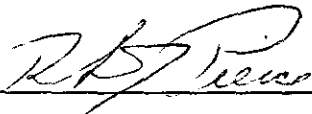
25 AFFIDAVIT OF ROBERT J. PIERCE-2-
26

1 Pierce, Pierce and Weaver claims a irrigation water right of .40
2 cfs from March 15th to November 1st of each year. With respect to
3 this water right, Pierce, Pierce and Weaver also claims .01 cfs
4 water right for irrigation stockwater from January 1st until
5 December 31st of each year. This water right has been beneficially
6 used as described above since March 15th, 1930.

7 (9) Attached to this affidavit are copies of the Idaho
8 Department of Water Resources adjudication claim profile report
9 which Pierce, Pierce and Weaver believe to be accurate.

10 Further your affiant saith not.

11 DATED this 6 day of MARCH, 1995.

12
13 
14 ROBERT J. PIERCE

15 SUBSCRIBED AND SWORN TO before me this 6th day of
16 MARCH, 1995.

17 
18 Notary Public for IDAHO
19 Residing at Buhl, Idaho
20 My Commission Expires: 7/16/97

21
22
23
24
25 AFFIDAVIT OF ROBERT J. PIERCE-3-



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-14982

PIERCE PIERCE & WEAVER

130 N. BROADWAY

BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

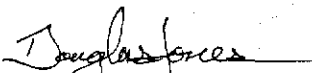
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
DEC 1 1996

Log for claim 47-14982

Spatial Dynamics BTD

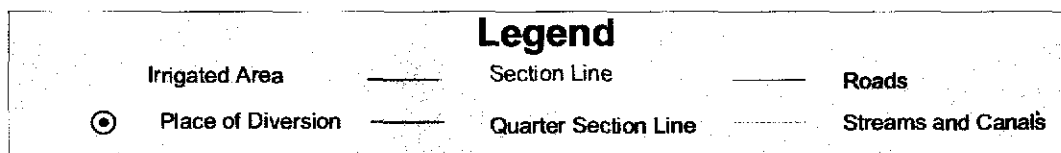
3/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	24	SWNW	15	15	POD placement?
Totals:			15	15	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-14982
Township , 9S14E

03/05/2001



 SPATIAL
DYNAMICS

Water Right Claim Number 47-14982
Township , 9S14E

03/05/2001



Legend

- | | | | | |
|----------------------|---|----------------------|---|--------------------|
| Irrigated Area | — | Section Line | — | Roads |
| ⊙ Place of Diversion | — | Quarter Section Line | — | Streams and Canals |



400 0 400 800 Feet



**SPATIAL
DYNAMICS**

Water Right Claim Number 47-14982
Township , 9S14E

03/05/2001



Legend			
Irrigated Area	—	Section Line	—
⊙ Place of Diversion	—	Quarter Section Line	—
		Roads	—
		Streams and Canals	—



400 0 400 800 Feet

 SPATIAL
DYNAMICS

AJ5809NP
No. A47-14982

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 264

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PIERCE PIERCE & WEAVER 130 N BROADWAY BUHL ID 83316 (208) 922-5012	03/15/1930	IRRIGATION	04-01 11-01	0.330 CFS	
TOTAL DIVERSION:					0.330 CFS	

Water Source: UNNAMED STREAM
WASTE DRAIN

Tributary to: SILVER CREEK
SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R14E S24 SWNE

TWIN FALLS 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		
09S	14E	24	:					:				15	:					:						15.0
TOTAL ACRES																							15.0	

POU County: TWIN FALLS

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020920 A47-04029A A47-14983 A47-14984 A47-14984A

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

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

Audit: 09/21/90 GIVENS 03/30/95 POST-STD