

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: A47-07115B
Date Received: 9/14/1988
Receipt No: S002170
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CHARLES J HILL
Address: 4592A RIVER RD
BUHL ID

208-543-6062

83316

2. Date of Priority: APR 8, 1971

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	9	NE	SE	NE		TWIN FALLS
			NW	SE	NE		TWIN FALLS
			NE	NE	SE		TWIN FALLS

5. Description of diverting works:

WELL #1 6"X530', WELL#2 6"X615', WELL #3 6"X715' PIPES TO SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/30	0.100		29.20

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) 29.20 A.F.A.

8. Total consumptive use is 21.0 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	9	SE	NE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
					Section Acres	4.0	
		10	SW	NW	2	IRR	3.0
					Section Acres	3.0	
					Total Acres	7.0	

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:
47-7123.

14. Remarks:

TRANS. 2918.

THE MAJORITY OF THE WATER USED UNDER THIS RIGHT COMES FROM WELL # 3 HOWEVER TRANSFER 2918 MAKES IT LEGAL TO USE THE WATER FROM ALL THREE WELLS. WATER FROM WELL#1 AND WELL #2 IS ONLY USED WITHIN THE FENCED ENCLOSURE.

AFTER CHECKING FICHE, ADDED STREET NUMBER AND PHONE TO SYBLE 08/25/94 SS.

12/3/98 TF; OWNERSHIP CHANGED GOHMES TO HILL PER 1409(6) AND WARRANTY DEED REC'D 10/6/98.

15. Basis of Claim: LICENSE

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

RECEIVED

OCT 06 1998

Department of Water Resources
Southern Region

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 or Adjudication Claim No(s): 47-08120, 47-57115A, 47-10276
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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant SYBLE GOHMES LEW GOHMES
RT 3 BOX 231A BUHL ID 83316
4. New Owner/Claimant(s) CHARLES J. HILL
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 4592A RIVER RD
City, State and ZIP Code BUHL ID 83316
New Telephone Number () 543 6062
5. Date you acquired the property OCT 2, 1998
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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s) Charles J Hill
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Post-It® Fax Note	7671	Date	10/6/98	# of pages	2
To	Gunther	From	A. Matcalf		
Co./Dept.		Co.	IDWR		
Phone #		Phone #	208-747-1200		

RECEIVED

OCT 06 1998

Department of Water Resources
Southern Region

T-23502DJT E1637URG

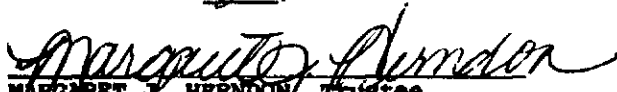
WARRANTY DEED

For Value Received MARGARET J. HERNDON, Trustee of the Lou R. Gohmes Living Trust
u/a/d the 5th of March, 1998Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
CHARLES J. HILL, a single man
whose address is:4592 A River Road, Buhl, ID 83316

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 2, 1998
MARGARET J. HERNDON, Trustee

STATE OF NEVADA

COUNTY OF Clark

) ss

On this 2 of October, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARGARET J. HERNDON, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Trustee of the Lou R. Gohmes Living Trust u/a/d the 5th of March, 1998, and acknowledged to me that she executed the same as such Trustee.

WITNESS my hand and official seal.

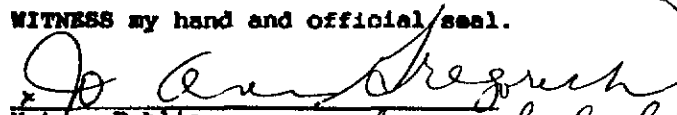
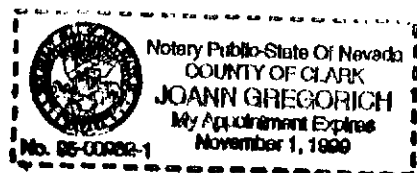

Notary PublicResiding at: 4251 A. McLeck L UNU 8912My commission expires: 11-1-99

EXHIBIT "A"

PARCEL I

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 9, Part of the SE~~1~~NE~~1~~ more particularly described as follows;

Beginning at the East quarter corner of Section 9, Township 9 South, Range 14 EBM;
Thence North 89°03' West 110.00 feet along the Southerly boundary of the SE~~1~~NE~~1~~ of said Section 9;
Thence North 54°52' West 169.80 feet;
Thence North 54°41' West 200.00 feet;
Thence North 10°06' West 125.16 feet to THE TRUE POINT OF BEGINNING;
Thence North 80°43'45" East 253.40 feet;
Thence North 15°41'45" West 416.40 feet;
Thence North 85°06'30" West 221.40 feet;
Thence South 10°21' East 193.03 feet;
Thence South 10°06' East 275.00 feet to the TRUE POINT OF BEGINNING.

Except a strip of land 30 feet in width for roadway purposes along the Southerly boundary

AND subject to County road right of way along Westerly boundary.

PARCEL II

A parcel of land located in the SE~~1~~NE~~1~~ of Section 9 and Lot 2 of Section 10 all in Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, and being more specifically described as follows:

Commencing at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 EBM, which bears South 0°00'00" 1358.06 feet from the Meander Corner common to said Sections 9 and 10;
Thence North 2°33'15" East a distance of 1015.14 feet to the REAL POINT OF BEGINNING;
Thence from this real point of beginning on a bearing of South 39°11'14" West a distance of 316.62 feet;
Thence on a bearing of North 85°10'14" West a distance of 142.96;
Thence on a bearing of South 15°43'50" East a distance of 416.71 feet;
Thence on a bearing of North 66°38'54" East a distance of 488.81 feet;
Thence on a bearing of North 6°18'55" West a distance of 422.49 feet;
Thence on a bearing of North 83°08'01" West a distance of 174.01 feet to the REAL POINT OF BEGINNING.

Subject to an access easement 30 feet in width along the Southerly boundary, described as follows;

A strip of land thirty (30) feet in width for the purpose of ingress and egress over and across a portion of the SE~~1~~NE~~1~~ Section 9 and Lot 2 of Section 10 all in Township 9 South, Range 14 EBM, Twin Falls county, Idaho. Said thirty foot wide strip of land to be centered on a line being more specifically described as follows: Commencing at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 EBM, which bears South 0°00'00" 1358.06 feet from the Meander Corner common to said Sections 9 and 10;
Thence a distance of 561.56 feet on a bearing of North 51°02'01" West to the centerline of a county road and the POINT OF BEGINNING of the centerline of said thirty (30) foot wide strip of land;
Thence from this point of beginning and along said centerline a distance of 251.43 feet on a bearing of North 80°36'53" East;
Thence a distance of 344.59 feet on a bearing of North 66°38'54" East;
Thence a distance of 295.63 feet on a bearing of North 36°48'25" East to the POINT OF ENDING of said centerline and said thirty (30) foot wide easement.

RECEIVED

OCT 06 1998

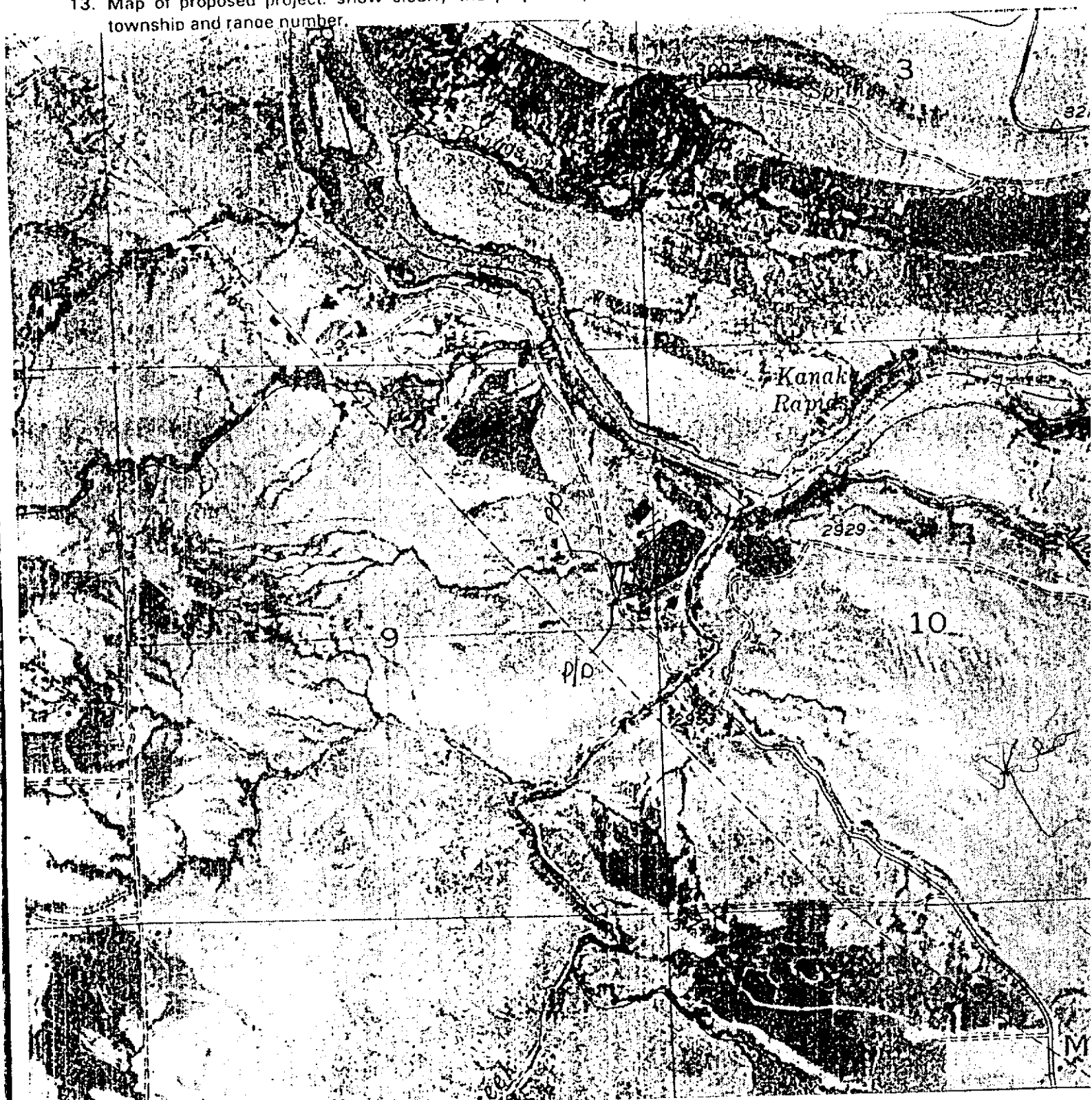
Department of Water Resources
Southern Region

RECEIVED

OCT 06 1998

Department of Water Resources
Southern Region

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



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.

Sylvia Holmes
(Applicant)

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: A47-07115B
Date Received: 9/14/1988
Receipt No: S002170
Received By: TB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEW R. GOHMES 208-543-5029
Address: RT. 3 BOX 231A RIVER ROAD
BUHL, ID 83316

OR
Name: SYBLE GOHMES 208-543-5029
Address: BUHL, ID 83316

2. Date of Priority: APR 08, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	9	NE	SE	NE		TWIN FALLS
			NW	SE	NE		TWIN FALLS
			NE	NE	SE		TWIN FALLS

5. Description of diverting works:

WELL #1 6"X530', WELL#2 6"X615', WELL #3 6"X715' PIPES TO SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/30	0.100		29.20

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) 29.20 A.F.A.

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-07115B

Page 1

Date: 09/14/88

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	9	SE	NE		IRR	4.0
						Section Acres	4.0
		10	SW	NW	2	IRR	3.0
						Section Acres	3.0
						Total Acres	7.0

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:
47-7123.

14. Remarks:

TRANS. 2918.

THE MAJORITY OF THE WATER USED UNDER THIS RIGHT COMES FROM WELL # 3 HOWEVER TRANSFER 2918 MAKES IT LEGAL TO USE THE WATER FROM ALL THREE WELLS. WATER FROM WELL#1 AND WELL #2 IS ONLY USED WITHIN THE FENCED ENCLOSURE.

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

Number of attachments: 1

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): *Garret D. Jones* Date: 9-14-88
Lyble M. Gahuna Date: 9-14-88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of September 19 88

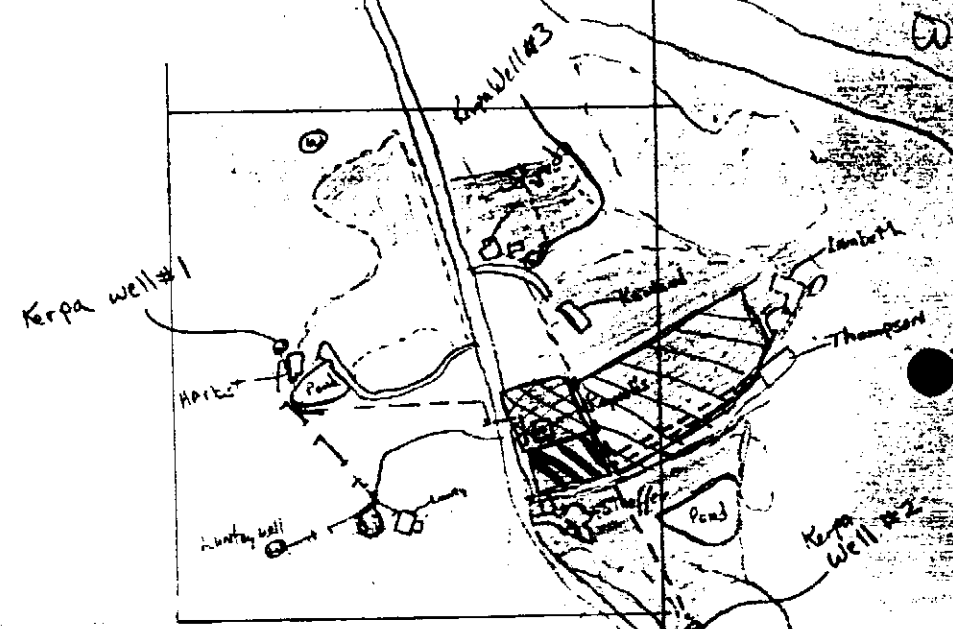
Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

47-7115B

4	3
9	10



Lands Irrigated by well #1
 Lands Irrigated by well #2
 Lands Irrigated by well #3



Scale 1:100,000

MICROFILMED
 MAR 11 1993

TRANSMITTAL COVER SHEET

TO: KEN ASHLEYfax # 326-5935

TOTAL PAGES SENT: _____

(including cover sheet)

DOCUMENT DESCRIPTION: PROOF REPORT OF SNAKE RIVER BASIN ADJUDICATION CLAIMA47-07115F (LUNTEY) AND PROFILE REPORTS OF WATER RIGHT RECORDS 47-07115A & 47-07115BALSO PROFILE REPORTS OF SNAKE RIVER BASIN ADJUDICATION CLAIMS A47-07115A, A47-07115B,

FROM:

A47-07115D, AND A47-07115EIDAHO DEPARTMENT OF WATER RESOURCES1341 FILLMORE ST, STE 200TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: 11

Please remit to the above address.

SENDER:

Corey SkinnerCOMMENTS: NOTE THAT WATER RIGHTS 47-07115A AND 47-07115BTOTAL 0.69 cfs AND 25.0 ACRES. HOWEVER ADJUDICATION CLAIMSA47-07115A, A47-07115B, A47-07115D, A47-07115E, AND A47-07115FTOTAL 0.98 cfs and 28.0 ACRES. THE CLAIMS CAN NOT BE
RECOMMENDED FOR MORE WATER OR USE(S) THAN WHAT
WAS ORIGINALLY LICENSED.

AJ0749NP
No. A47-071158

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

DATE: 10/19/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEW R GOHMES	04/08/1971	IRRIGATION	04-01 11-30	0.10 CFS	29.20 AFA
C	SYBLE GOHMES					
	4834 MONTERREY AVE			TOTAL DIVERSION:	0.10 CFS	29.20 AFA
	LAS VEGAS NV 89121			CONSUMPTIVE USE:		21.00 AFA
	(208) 543-5029					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R14E S09 NESENE NWSENE NENESE TWIN FALLS 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
09S	14E	9	:					04												:	4.0
09S	14E	10	:							02-03										:	3.0
																				TOTAL ACRES	7.0

POU County: TWIN FALLS

Other Rights: 47-7123.

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2918.

THE MAJORITY OF THE WATER USED UNDER THIS RIGHT COMES FROM WELL #
3 HOWEVER TRANSFER 2918 MAKES IT LEGAL TO USE THE WATER FROM ALL
THREE WELLS. WATER FROM WELL#1 AND WELL #2 IS ONLY USED WITHIN
THE FENCED ENCLOSURE.

AFTER CHECKING FICHE, ADDED STREET NUMBER AND PHONE TO SYBLE
08/25/94 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

"DO NOT FILM"

RECEIVED
OCT 21 1998
Department of Water Resources
Southern Region

Mail this postcard to people and businesses that send you mail

Please send mail to my new address beginning:

09 | 21 | 98
Month Day Year

My Name (Last Name, First Name, Middle Initial)

LEW R. GOMMES

Cc: W.M. ✓

OLD Complete Street Address, PO Box, or Rural Route and RR Box No.

RT 3 BOX 231A RIVER ROAD

Apt./Suite No.

City or Post Office

DUHL

State

IO

ZIP Code or ZIP+4

89316

NEW Complete Street Address, PO Box, or Rural Route No. and Box No.

4894 MONTERREY AVE

Apt./Suite No.

City or Post Office

LAS VEGAS

State

NV

ZIP Code or ZIP+4

89121

Account Number (if Applicable)

47-10276 + A47-07115B

New Telephone No. (Optional)

()

Signature

Lew R. Gomme

Today's
Date

9 | 21 | 98
Month Day Year

PS Form 3576, February 1995

Recipient: Be sure to record the above new address.

(Correct Spelling of street per USPS)

cc ands modified 10-19-98
-ss

Log for claim 47-07115B

Spatial Dynamics BTD

2/27/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	9	SENE	4	39	POD placement? / Indiscernible
09s14e	10	SWNW	3	15	Indiscernible
Totals:			7	54	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-07115B
Townships , 8S14E, 9S14E

02/27/2001



Legend

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

500 0 500 1000 Feet



*Spatial
Dynamics*

Water Right Claim Number 47-07115B
Townships , 8S14E, 9S14E

02/27/2001



Legend

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



500 0 500 1000 Feet

A horizontal scale bar with four segments. The first segment is labeled '500', the second '0', the third '500', and the fourth '1000'. The word 'Feet' is at the end of the bar.

*Spatial
DYNAMICS*

Water Right Claim Number 47-07115B
Townships , 8S14E, 9S14E

02/27/2001



Legend

Irrigated Area



Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals



500 0 500 1000 Feet



*SPATIAL
DYNAMICS*

AJ5809NP
No. A47-07115B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 178

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES J HILL 4592A RIVER RD BUHL ID 83316 (208) 543-6062	04/08/1971	IRRIGATION	04-01 11-30	0.100 CFS	29.20 AFA
TOTAL DIVERSION:					0.100 CFS	29.20 AFA
CONSUMPTIVE USE:						21.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R14E S09 NESENE NWSENE NENESE TWIN FALLS 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	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
09S	14E	9	:								04	:							:						4.0
09S	14E	10	:									02-03	:						:						3.0
TOTAL ACRES																							7.0		

POU County: TWIN FALLS

Other Rights: 47-7123.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-10276 47-10678 A47-07115A A47-07115E A47-07115F A47-07174 A47-07174A A47-07174B A47-07566 A47-07567
A47-07575 A47-07580 A47-07826 A47-10276 A47-10678 A47-16763 R47-16763

Other Water Rights Listing Overlapping Place(s) of Use:

A47-07115A A47-07115D A47-07115E A47-07115F A47-07205 A47-07567 A47-07575 A47-07826

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2918.

THE MAJORITY OF THE WATER USED UNDER THIS RIGHT COMES FROM WELL #
3 HOWEVER TRANSFER 2918 MAKES IT LEGAL TO USE THE WATER FROM ALL
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Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

AJ5809NP
No. A47-07115B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

=====

DATE: 01/30/01
PAGE: 179

Audit: 09/14/88 STOREY 08/25/94 SSHERMAN 03/30/95 POST-STD 10/19/98 SSHERMAN
12/03/98 TFAWCETT

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Kerpa, Edward	0.69		47-7115
2918	Reynolds, Wesley E. &/or Mary J.	0.10		
	Kerpa, Edward	0.59		47-7115A

S

M

A

R

T

Identification No. 47-7115

Application No. _____

11/17/1969
10/10/1969

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Edmond H. [redacted] Ph: 543-5956
post office address Route 7, [redacted], Idaho 83217

2. Source of water supply Spring which is a tributary of _____

3. a. Location of point of diversion is 1/4 of 1/4 of Section 1 Township 1
Range 14 B.M. Quinn County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in 1/4
of 1/4 of Section 1 Township 1 Range 14 B.M. _____

4. Water will be used for the following purposes:

Amount 0.1 for irrigation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(recreation) Amount 0.1 for recreation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 0.1 for fish and game purpose from Jan. 1 to Dec. 31 (both dates inclusive)

5. Total quantity to be appropriated:

a. 1.0 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

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 12 inches; proposed depth of well is 10 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 \$ 11,000.00.

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: 1/4 of 1/4 of Section 1 Township 1
Range 14 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: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____

(5) If water is to be used for other purposes describe: Fish and game, recreation
recreation facilities

47 7115

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

[illegible]

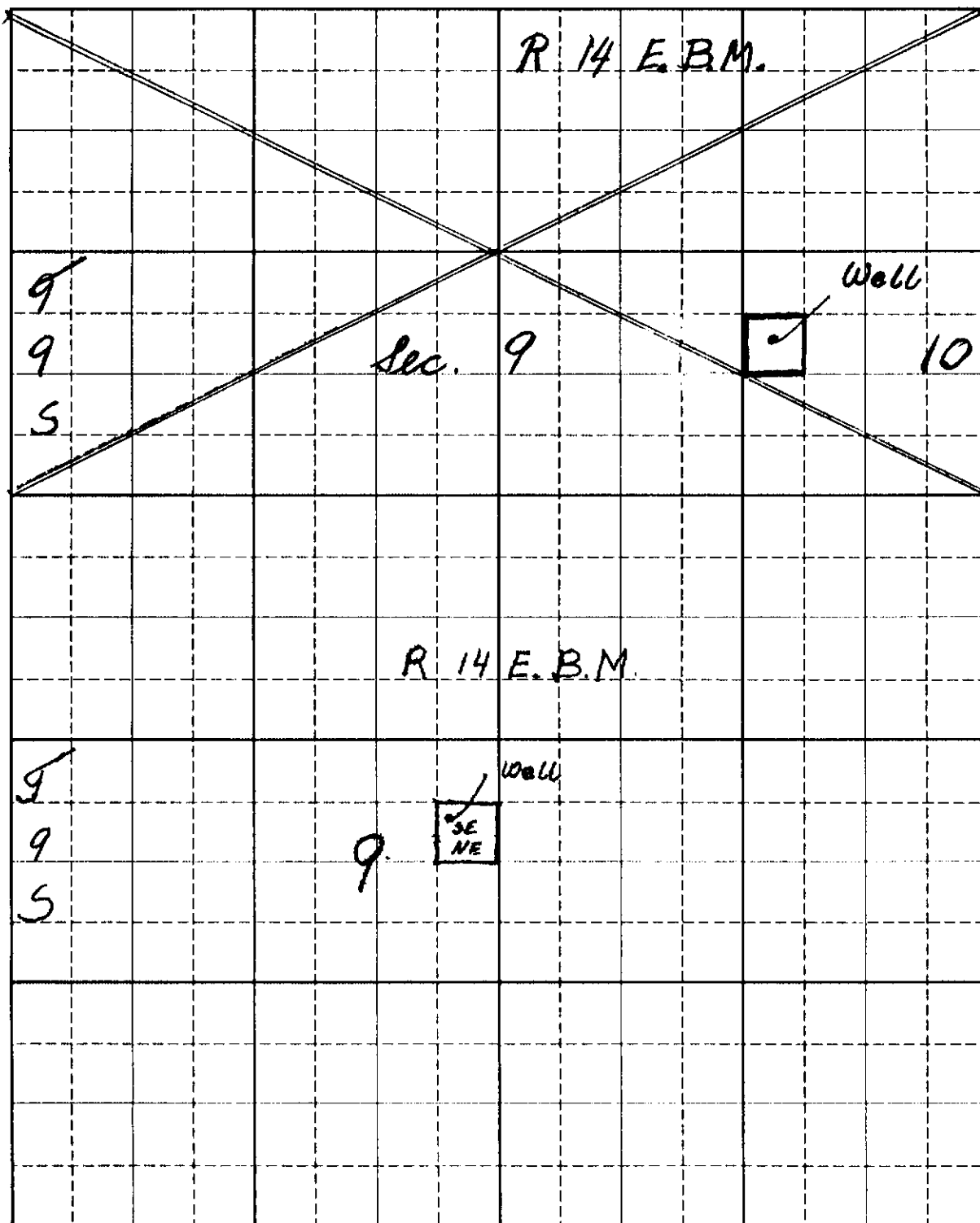
Total number of acres to be irrigated _____

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 _____
 b. Who owns the land to be irrigated or place of use _____
 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.

Edward H. Terpa
(Applicant)

47 7115

Received by Date 3-29-71 Time **47 7115**
Preliminary check by Fee \$ 200.00
Received by Date 4-2-71
Publication prepared by dr Date 4-21-71
Published in Buhl Herald Correction notice:
Publication dates 4-29 & 5-6, 1971 5-20 & 5-27, 1971
Publication approved Date 6-3-71
Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for (approval) denial by BOF J. L. H.

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. 47-7115, 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 July 1, 1976.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this 6th day of July, 1971.

R. Keith Hing
Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7115 Priority April 8, 1971 Amount 0.69 cfs

THIS IS TO CERTIFY, that EDWARD H. KERPA
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7115 issued pursuant to Application for Permit dated April 8, 1971
and has submitted proof to the Department of Water Resources on January 29, 1974
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 0.69 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
Fish Propagation	from Jan. 1 to Dec. 31	at 0.20 cfs and	n/a
Domestic	from Jan. 1 to Dec. 31	at 0.02 cfs and	0.6 acre feet
Recreation	from Jan. 1 to Dec. 31	at 0.50 cfs and	n/a
Irrigation	from April 1 to Nov. 30 (both dates inclusive)	at 0.30 cfs and	100 acre feet or 4.0 af per acre

Subject, however, to the condition that no more than 0.69 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
100.6 acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4 of Sec. 9,
Twp. 9 S, Rge. 14 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	9				X													25

Total number of acres irrigated 25

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 26 day of
March 19 75

Director

Transfer No. 2918

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Wesley E. ^{and} Mary J. Reynolds Phone 602-982-5820
Post Office address 1110 East Canyon Rd., Apache Junction, Arizona 85220

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)b. License No. 47-7115 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Land andWater purchased from owner.3. Source of water Groundwater tributary to _____4. Date of priority April 8, 1971

5. Water is used for the following purposes:

amount 0.20 cfs for Fish Propagation purposes from JAN 1 to Dec 31
0.02 cfs Domestic Jan 1 Dec 31amount 0.50 cfs for Recreation purposes from Jan 1 to Dec 31amount 0.30 cfs for Irrigation purposes from April 1 to Nov 1
(month/day -- both dates inclusive)6. Total amount of water under right: a. 0.69 cfs cubic feet per second
&/or _____ acre feet per annum7. Location of original point of diversion is (Well #1) SE % of NE % of Section 9Township 9S Range 14E, B.M., in Twin Falls County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>9S</u>	<u>14E</u>	<u>9</u>				X													<u>25</u>

Total number of acres to be irrigated 259. Describe any other water rights used for the same purpose as described above 47-712310. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.10 cubic feet per second &/or
b. 29.2 acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 9S
Range 14E, B.M., Twin Falls County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	14E	9				4													4
9S	14E	10							4.2	3.3									33

Total number of acres to be irrigated 7.3

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.10 cfs c.f.s. &/or 29.2 acre feet
- b. Description of diverting works Artesian wells pipelines to place of use
- c. Describe the reasons for the proposed changes To add points of diversion which Mr Reynolds owns or has an interest in and to show the correct description of where the water was used at the time of licensing.

2. Change in point of diversion (Well #1 & Well #3)

Point of diversion ^{2 pts} SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 9S
Range 14E, B.M., Twin Falls County
Additional points ^{Lot #2} NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10 (Well #2)

3. Change in place of use

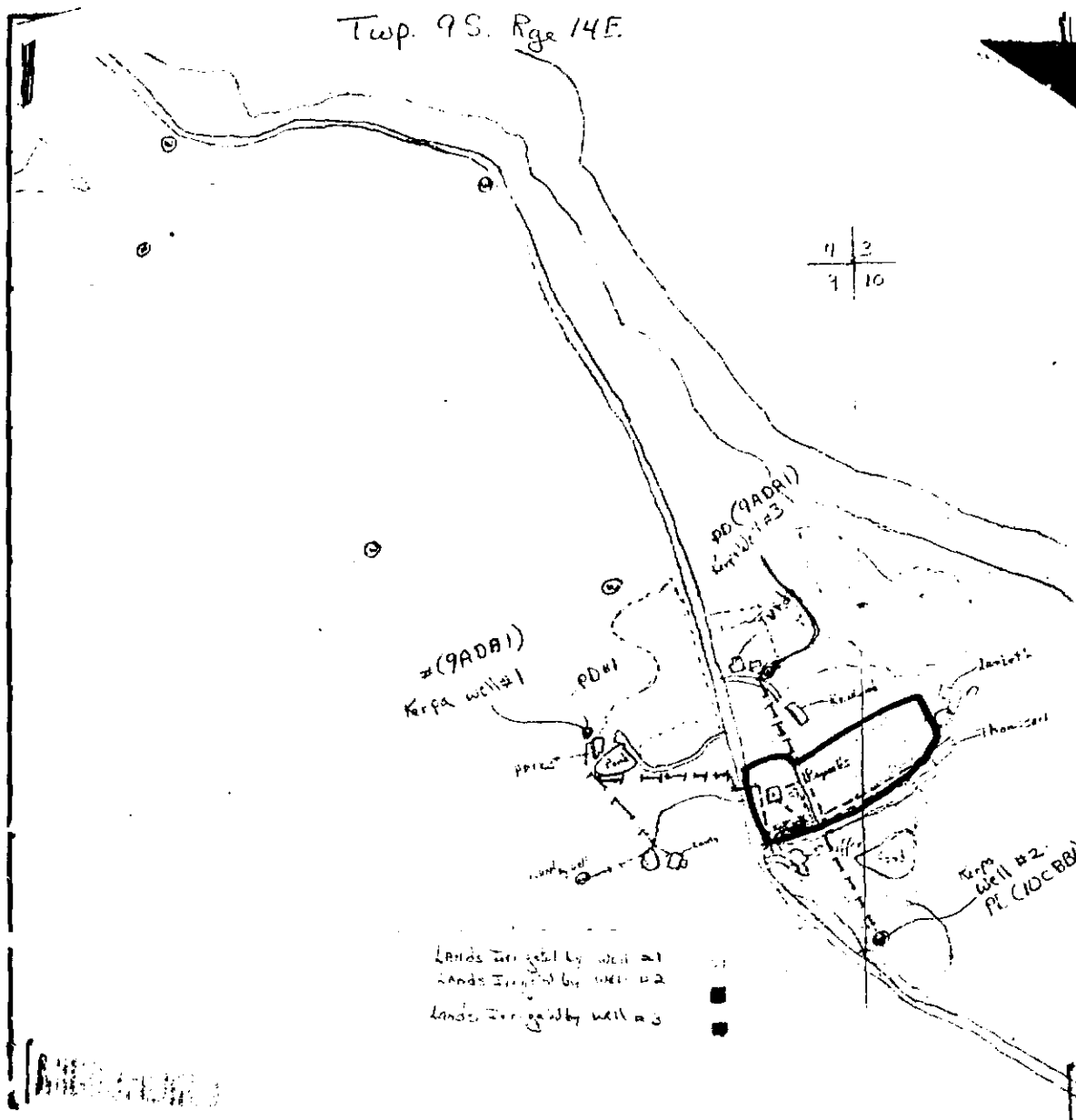
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No ☒. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No effect This land was always irrigated but was not properly described.

c. Describe the lands or use of use to which the right will be transferred

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
9S	14E	9				4													4
"	"	10							4.2										33

Total number of acres to be irrigated 73

- Describe any other water rights used for the same purpose as described above. 47-7123
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

Applicant has 1 share in well #1 out of a total of 39 shares
 $\frac{1}{39} \times 5 = 0.0128$ for recreation Irrigation $\frac{1}{23} \times 3 \text{ cfs} = 0.087 \text{ cfs}$
 total = 0.10 cfs.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Wesley E. Reynolds
 (Signature of Applicant)

Subscribed and sworn to before me this 7 day of June, 19 83

Mary A. Newcup
 (Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-7115B
 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 31st day of January, 19 84

J. Glen Saxton
 Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>T.G. Blum</u>	Date <u>6-7-83</u>	Protest filed by <u>Kenneth E. Harbst</u>
Prelim. check by <u>A.S.</u>	Fee <u>30%</u>	<u>Protest withdrawn 9/28/83</u>
Received by <u>T.G. Blum</u>	Date <u>6-7-83</u>	
Published in <u>Times News</u>		Copies of protest forwarded by _____
Pub. dates <u>6/23 & 6/31/81</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>NA</u>		Recommended for <u>Approval</u> denial
rec'd. _____		by <u>AD</u>

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

8381
Date
03/12/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 40 199	1238	8831		REFUNDS PER TERRY BLAU RECEIPT #5002872 3/ 7/90 30.00 <i>Was an unstuffed TR held by TB - Can't find refund request that goes with this.</i>	30.00	
TOTAL						30.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

MEMORANDUM

TO: Sharla Curtis
FROM: Mary Baldwin, Southern
DATE: 23-Apr-1990
SUBJECT: Poppay transfer (47-07115D)

In reference to the above transfer, I received additional information from Terry Blau who took this application and learned:

That it was originally unstaffed and being held in Terry's office but when the withdrawal was processed, he sent the original app. for transfer back to Poppay. I will file the original withdrawal in our water rights files along with the refund request and other correspondence. We should have kept the original request initially. Sorry for the inconvenience and thanks for your cooperation.

47-07115D (Poppay)

RECEIVED

MAR 7 1990

Department of Water Resources
Southern Region Office

TO: IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. E.
Twin Falls, ID 83301

Gentlemen:

I wish to withdraw Application for Transfer of Water Right
No. 47-07115D filed in the name of Frank J. &/or Evelyn
Poppay.

Dated this 7th day of March, 1990.

Evelyn L. Poppay
(Name)

Owner
(Title)

RECEIVED

MAR 8 1990

Department of Water Resources

B3-3/90

RECEIVED

APR 11 1990

Department of Water Resources
Southern Region Office

MEMORANDUM

TO: Ranae Sanders, State Office
FROM: Terry Blau, Southern Region
DATE: 07-Mar-1990
SUBJECT: Refund of partial filing fee

Attached please find 2 copies of Receipt # S002872. Please send refund of \$30.00 to:

Evelyn Poppay
Rt. #3, Box 229
BUHL ID 83316

Attached also find a copy of the withdrawal for a Transfer signed by Mrs. Poppay. She wishes to withdraw the application due to changes in 42-1416 by passage of Senate Bill #1065.

RECEIVED

MAR 7 1990

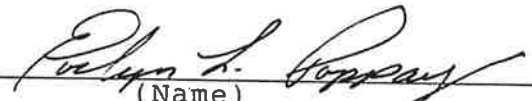
TO: IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. E.
Twin Falls, ID 83301

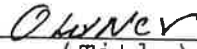
Department of Water Resources
Southern Region Office

Gentlemen:

I wish to withdraw Application for Transfer of Water Right
No. 47-07115D filed in the name of Frank J. &/or Evelyn
Poppay.

Dated this 7th day of March, 1990.


(Name)


(Title)

B3-3/90

S002872

10/11/88
18:38:44

POPPAY, EVELYN

ADJUDICATION FEE
APPLICATION FOR TRANSFER

0410162 9337 6490
0640199 1238 6390

\$89.00
\$30.00

\$119.00

CHECK 225

WR/NO: A47-07115D A47-10678

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

DEED

FOR VALUE RECEIVED, IDAHO BANK & TRUST COMPANY, a National Banking Association
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto FRANK J. POPPAY and EVELYN L. POPPAY, husband
and wife,
grantee whose current address is Rt. 3, Box 229, Buhl, ID 83316
the following described real estate, to-wit:

(See Exhibit "A" attached hereto and made a part hereof)

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its authorized officer of the corpora-
tion this 1st day of June, 1988.

IDAHO BANK & TRUST COMPANY
By Kevin L. Guthrie
Kevin L. Guthrie, Assistant Vice-
President

STATE OF IDAHO, County of Twin Falls
On this 1st day of June, 19 88,
before me, a Notary Public in and for said State, person-
ally appeared Kevin L. Guthrie

, known to me to
be the Assn. Vice-President of the corpora-
tion that executed this instrument or the persons who exe-
cuted the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the
same.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my official seal, the day and year in this
certificate first above written.

Delinda Roth
Notary Public

Residing at Jerome, Idaho
Comm. Expires 10-29-92

STATE OF IDAHO, COUNTY OF TWIN FALLS, IDAHO
I hereby certify that this instrument was filed for record at
the request of CHICAGO Title

at 40 minutes past 11 o'clock A.
this JUN 2 1988 day of
19, in my office, and duly recorded in Book
of Deeds at Page

RICHARD A. PENCE
Ex-Officio Recorder

By Jany Sealwell
Deputy.

Fees \$
Mail to:

EXHIBIT A"

PARCEL I

All of that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, laying and being North and East of the River Road; AND, All that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, North and Westerly of Deep Creek and Northerly of the River Road, as shown on the records of said County Recorder, and, a Parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 and Lot 2, Section 10, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, and being more specifically described as follows:

COMMENCING at the quarter corner common to Sections 9 and 10, Township 9 South, Range 14 East of the Boise Meridian, said point being the Real Point of Beginning; THENCE North 89° 03' 00" West, 65.50 feet along the South boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9; THENCE North 56° 06' 54" West, 196.08 feet; THENCE North 59° 44' 34" East, 125.65 feet; THENCE North 17° 24' 26" West, 215.81 feet; THENCE North 66° 38' 54" East, 563.81 feet to the centerline of Deep Creek; THENCE Southerly along the center line of Deep Creek the following courses and distances: South 26° 24' 14" West, 119.16 feet; South 10° 37' 06" West, 256.42 feet; South 25° 23' 15" East, 272.66 feet; THENCE North 89° 40' 45" West, 350.00 feet to the Point of Beginning.

EXCEPT A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, and being more specifically described as follows:

COMMENCING at the Quarter Corner common to Sections 9 and 10, Township 9 South, Range 14 East of the Boise Meridian; THENCE North 89° 03' 00" West 108.17 feet along the Northerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ said Section 9 to the centerline of the old county road, said point being the Real Point of Beginning; THENCE continuing North 89° 03' 00" West 86.93 feet to a point on the centerline of the new county road; THENCE South 44° 51' 03" East 143.89 feet along the centerline of the new county road; THENCE South 51° 17' 00" East 87.38 feet along the centerline of the new county road to a point on the centerline of the old county road; THENCE along the centerline of the old county road the following courses and distances: North 11° 47' 06" West 74.78 feet; North 36° 14' 39" West 89.43 feet; North 55° 52' 03" West 17.63 feet to the Real Point of Beginning.

CONTINUED

Order No. 8-50713

EXHIBIT A" CONTINUED

AND EXCEPT A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9 and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, all in Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, and being more specifically described as follows:

COMMENCING at the Quarter corner common to Section 9 and 10, Township 9 South, Range 14 East of the Boise Meridian; THENCE South 0° 00' 00" East 173.81 feet along the section line common to said Sections 9 and 10 to a point on the centerline of a new county roadway, said point being the Real Point of Beginning; THENCE North 51° 17' 00" West 32.57 feet along the centerline of the new county road to a point on the centerline of the old county road; THENCE along the centerline of the old county road the following courses and distances: South 11° 47' 06" East 17.94 feet; South 11° 34' 46" East 89.43 feet; South 19° 51' 53" East 38.08 feet; South 58° 53' 15" East 42.10 feet; South 67° 34' 56" East 52.92 feet; South 84° 17' 31" East 72.61 feet; South 41° 59' 55" East 33.82 feet; South 34° 13' 47" East 24.78 feet to the centerline of Deep Creek; THENCE North 55° 52' 48" East 43.05 feet along the centerline of Deep Creek; THENCE North 51° 17' 00" West 305.74 feet to the Real Point of Beginning.

PARCEL II

A tract of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, described as follows:

COMMENCING at the East Quarter corner of said Section 9; THENCE North 89° 03' West, 109.99 feet; THENCE North 54° 52' West, 169.80 feet to the True Point of Beginning; THENCE North 54° 41' West, 200.00 feet; THENCE North 10° 06' West, 125.16 feet; THENCE North 80° 37' East, 252.98 feet; THENCE South 17° 23' East, 215.70 feet; THENCE South 60° 04' West, 148.74 feet to The True Point of Beginning.

EXCEPT the Westerly 25 feet for right-of-way for County road, Twin Falls County, Idaho, as shown on the official records of said County Recorder.

Water Right Number - 47-07115A Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
KERPA EDWARD H. 1 - RT. 3
2 -
3 -
City- BUHL State- ID Zip- 83316
Phone -

+ - - Priority Date - - + + - - Region - - + + - - Stage - - + + - - Status - - - +
04/08/1971 17 L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09S 14E 9 SE NE (83) TWIN FALLS

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

01 - IRRIGATION 04/01 11/30 0.200 70.80
19 - FISH PROPAGATION 01/01 12/31 0.200
43 - DOMESTIC 01/01 12/31 0.020 0.60
46 - RECREATION 01/01 12/31 0.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.590 71.40

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

09S 14E 9 SE NE 18.0 01 IRRIGATION (83) TWIN FALLS

Total Acres: 18.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
TRANS. 2918.
AC. IRR. = 17.7.

+ - - - - Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall be
- maintained as a part of the diverting works.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 2, 1984

RE: Transfer of Water Right No. 47-7115B

RECEIVED

FEB 6 1984

Wesley E. &/or Mary J. Reynolds
1110 E. Canyon Rd.
Apache Junction, AZ 85220

Department of Water Resources
Southern District Office

Dear Mr. and Mrs. Reynolds:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2918). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2918	Kerpa, Edward	0.69		47-7115
	Reynolds, Wesley E. &/or Mary J.	0.10		47-7115B
	Kerpa, Edward	0.59		47-7115A
	Poppay, Frank			

47-7115B T#2918

T

R

A

N

S

F

Transfer No. 2918

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Wesley E. And/or Mary J. Reynolds Phone 602-982-5820
Post Office address 1110 East Canyon Rd., Apache Junction, Arizona 85220

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 47-7115 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Land and
water purchased from owner.

3. Source of water Groundwater tributary to _____

4. Date of priority April 8, 1971

5. Water is used for the following purposes:

amount 0.20cfs for Fish Propagation purposes from JAN 1 to Dec 31
0.02cfs for Domestic purposes from JAN 1 to Dec 31
amount 0.50cfs for Recreation purposes from JAN 1 to Dec 31
amount 0.30cfs for Irrigation purposes from April 1 to Nov 1
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.69cfs cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is (Well #1) SE 1/4 of NE 1/4 of Section 9
Township 9S Range 14E, B.M., in Twin Falls County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	9				X													2.5

Total number of acres to be irrigated 2.5

9. Describe any other water rights used for the same purpose as described above 47-7123

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.10 cubic feet per second
&/or
b. 29.2 acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 9S
Range 14E, B.M., Twin Falls County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	14E	9				4													4
9S	14E	10							4.2 3.3										3.3

Total number of acres to be irrigated 7.3

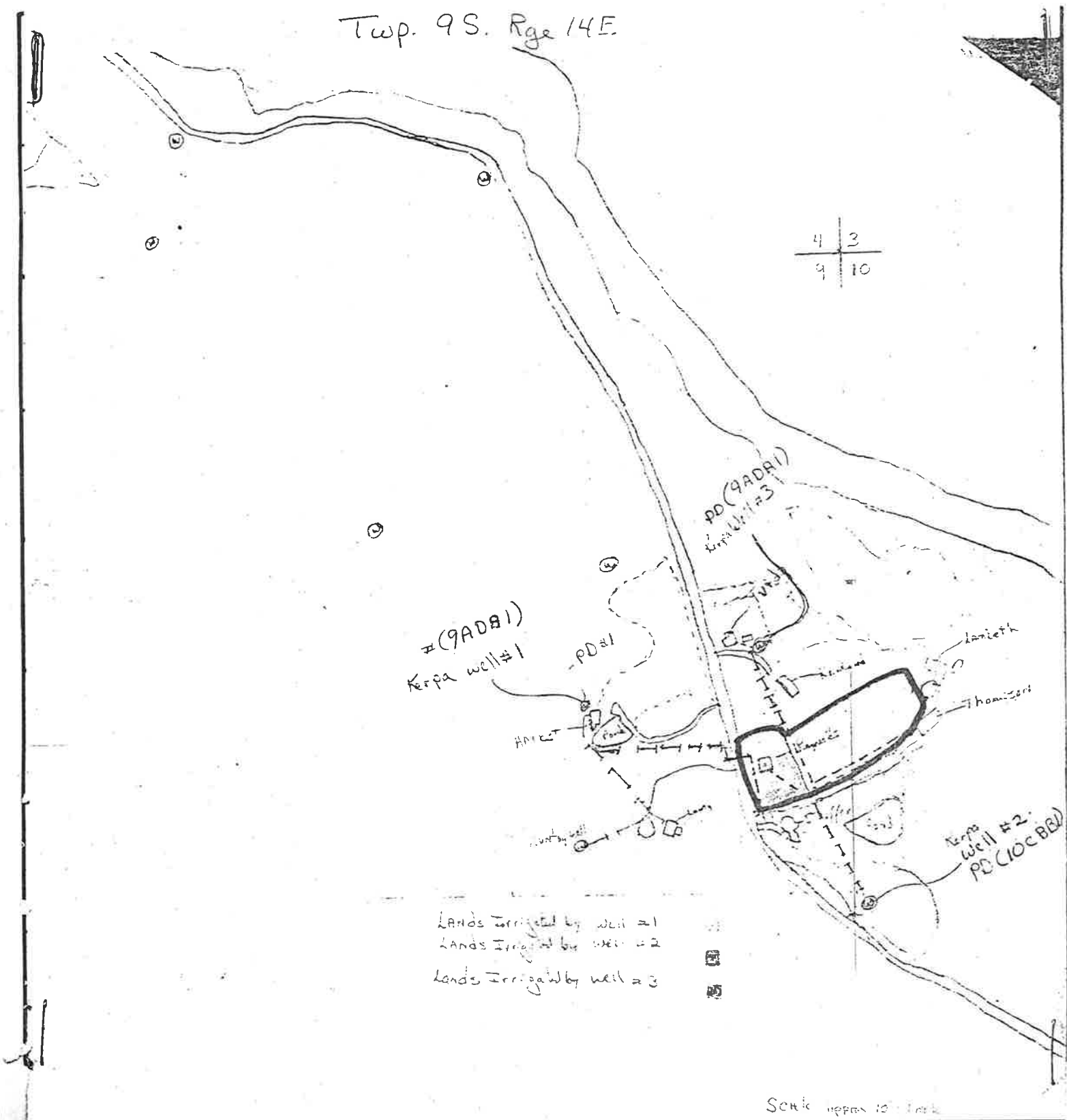
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 0.10 cfs c.f.s. &/or 29.2 acre feet
- b. Description of diverting works Artesian wells pipelines to place of use
- c. Describe the reasons for the proposed changes To add points of diversion which Mr Reynolds owns or has an interest in and to show the correct description of where the water was used at the time of licensing
2. Change in point of diversion (Well #1 & Well #3)
- Point of diversion ^{2 pts} SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 9S
Range 14E, B.M., Twin Falls County
Additional points ^{Lot # 2} (NW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 10 (Well #2)
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No ☒ If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No effect this land was always irrigated but was not properly described.

[illegible]

Total number of acres to be irrigated 7.3

4. Describe any other water rights used for the same purpose as described above. 417-7123
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

Applicant has 1 share in well #1 out a total of 39 shares
 $\frac{1}{39} \times .5 = 0.0128$ for recreation Irrigation at $\frac{7.3 \text{ Acres}}{25 \text{ Acres}} \times 2 \text{ cfs} = .58$
 total = 0.10 cfs.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Wesley E. Reynolds
 (Signature of Applicant)

Subscribed and sworn to before me this 7 day of June, 19 83.

Mary A. Newcup
 (Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-7115B
 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 31st day of January, 19 84.

J. Glen Saxton
 Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by T.G. Blau Date 6-7-83

Prelim. check by A.S. Fee 30⁰⁰/100

Receipted by T.G. Blau Date 6-7-83 #30241

Published in Times News

Pub. dates 6/23 + 6/30/81

Watermaster recommendation requested on N/A

rec'd.

Protest filed by Kenneth E. Harbst

Kenneth E. Harbst

Protest withdrawn 9/28/83

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial

by ADN

1990

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1987).

- Department of Health, Education and Welfare

Phone: 1-800-222-3333

Phone

- (name spring, stream, etc.)

Permit No. 47-7115
Examination for b/u

- Amount **0.3** c.f.s. for **irrigation**
AF/Annum (nature of use)

Amount 0.5 c.f.s. for recreation
AF/Annum (nature of use)

Amount 0.2 c.f.s. for fish propagation
AF/Annum (nature of use)

Other uses: Domestic, 0.2 from Jan. 1 to Dec. 31

- Max Rate of Diversion 1.0 cubic feet per second and annual volume AF/Annum.

- | | | | | | | | | | | | |
|----------|----|------------|-----|--------------------|---|---------------|----|---|----|---|----------------------|
| Township | 9S | N/S, Range | 14E | E/W, B.M., Section | 9 | , Subdivision | SE | ¼ | NE | ¼ | Twin Falls
County |
| Township | | N/S, Range | | E/W, B.M., Section | | , Subdivision | | ¼ | | ¼ | County |
| Township | | N/S, Range | | E/W, B.M., Section | | , Subdivision | | ¼ | | ¼ | County |

Other Points of Diversions: _____

Measuring device required: yes ☒ no ☐

- [illegible]

TOTAL ACREAGE 25.

Diagram of System

DATE OF EXAM

5-12-74

ACREAGE

Found

25

Recommended

25

Irrigation Requirement

4.0

Ac Ft/Ac

USE

Irrigation Q = .3 c.f.s.

V = 100

AF/Ann. from April 1

to Nov. 30

2461

Domestic Q = .04 c.f.s.

V = 1.2

AF/Ann. from Jan. 1

to Dec. 31

365

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Recreation Q = .5 c.f.s.

V =

AF/Ann. from Jan. 1

to Dec. 31

365

Fish Propagation Q = .2 c.f.s.

V =

AF/Ann. from Jan. 1

to Dec. 31

365

Is water co-mingled? yes

no ☒

Name source:

twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes

no ☒

Name source exchanged with:

twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of injection:

twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

310 gal/min = .69 c.f.s.

Method of measurement

Badger Meter

Total Q recommended

.69 c.f.s.

Meter No. M0555134

Type

L

Condition

good

Total V recommended

462.5 Ac Ft/ANN.

Recommended Amendments:

P.D.

☒

Place of Use

☒

Other

☒

None

☒

MEASUREMENT CALCULATION:

 $Q = .69 \text{ c.f.s.} = (310 \text{ gal/min}) \div (448.8 \text{ gal/min} = 1 \text{ c.f.s.})$ $V = 100 \text{ Ac Ft/ANN} - \text{Irr. (Irr. Req. 4.0) (25 Acres)}$ $V = 12 \text{ Ac Ft/ANN} - \text{Domestic (Single family use)}$ $V = 36 \text{ Ac Ft/ANN} - \text{Domestic}$ $V = \text{Total } 462.5 \text{ Ac Ft/ANN}$ $101.2 \text{ Ac Ft/ANN} \text{ c.f.s.}$

SYSTEM DESCRIPTION:

Artesian Well, Water is piped from the well to its place of use. There is only one house hold. use for Domestic.

Fish prop. is below the area where the Recreation is used. This water runs from the Recreation pond into fish ponds.

Examiner's Signature

Lauri Sunderburg

Date

8-27-74

Checked by

Bob Haynes

Date

8-28-74

Approved by

Date

01/31/2013

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

RIGHT NUMBER: 47-7115B

NAME AND ADDRESS: CHARLES J HILL
4592A RIVER RD
BUHL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS

20.00 AFY

PRIORITY DATE: 04/08/1971

POINT OF

DIVERSION:

T09S R14E S9 NESENE Within TWIN FALLS County

T09S R14E S9 NWSENE Within TWIN FALLS County

T09S R14E S10 NWSENE Lot 2 S9 SESENE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/30

0.100 CFS

20.00 AFY

RECREATION

01/01 12/31

0.013 CFS

The use of water for irrigation under this right may begin as early as March 15, provided other elements of the right are not exceeded. The use of water before April 1 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 in TWIN FALLS County

T09S R14E S09

SENE

2.50

T09S R14E S10 Lot 2 SWNW

2.50

RECREATION in TWIN FALLS County

T09S R14E S09

SENE

5 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: BASIS OF CLAIM - License

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

* Clerical Correction being Sent to Court.
Along w/ 47-7115D poppy -

this is A WORD fix. Database CVR
is Locked must be opened to
correct.

4/12/13 call from
TED Booth ...
the court has no doc.
on PART 'B' to fix
POD error.

WATER RIGHT NUMBER: 47-7115D

**Note that Ownership
Change has been
completed (12/7/12)**

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Location of Point(s) of Diversion

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	14E	9				2.8									0.2				3.0
09S	14E	10							1.8 L 2				1.1						2.9

RECREATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 47-7115D

Conditions of Approval:

1. C18 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.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. S40 The use of water for irrigation under this right may begin as early as March 15, provided other elements of the right are not exceeded. The use of water before April 1 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.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. X35 Rights 47-7115D and 47-10678 when combined shall not exceed the irrigation of 5.9 acres.

Remarks:Comments:

1. nvandyke 11/29/2011 11:15:15 AM WR Termination/Status Change
Comment: Pre-SRBA rights 47-7115A and 47-7115B, both totalling 0.69 cfs, were SRBA decreed in parts 47-7115A, 47-7115B, 47-7115D, 47-7115E, and 47-7115F totalling 0.66 cfs.

Dates and Other Information:

Licensed Date:
Decreed Date: 6/1/2010
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

47-7115 D
MOTION TO SET ASIDE

47-
ORIG-7115
069 cfs
25 Ac.

(KERRA well #2)
4/8/1971

★ COO to Remove 'Frank' name.

✓ E. Popper - in Court -
Charles Sacconi
(Roger Clark
Ruth Story - Clark

split Now?

✓ * Other New OBS = 7115
* clerical ERROR *

B? Charles Hill

With Legal ERROR on POD

no water Left

POU AC Available to findings of Acres

Correction to Legals - obvious fix!

(21 day OBS)
Feb 28th = 3/14/13

Site ADR

JAN. 31st

Pocket - 2/7/13

12/6/12
POU

Clelland, Steve

From: Skinner, Corey
Sent: Monday, December 10, 2012 3:05 PM
To: Clelland, Steve
Cc: Spencer, Nick
Subject: 47-7115D (Poppay)
Attachments: Poppay Docs.pdf; new draft 47-7115D recommendation.docx; BING_POU.shx; BING_POU.dbf; BING_POU.prj; BING_POU.shp

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Steve,

Evelyn Poppay came in last Friday and we were able to complete the ownership change that removed her deceased husband, Frank, as a current owner on her water rights. I also took a look at the binder of information that she indicated that she had brought to the court during last Thursday's teleconference. I made copies of things that I thought might be useful (see attached scanned documents).

I also discussed her irrigation system with her and came up with the following shape file based on the BING imagery. The rectification between different years aerial photos varies and the non BING imagery is pretty pixelly. Irrigation and non irrigation boundaries are most obvious on the BING imagery. I tried several different shapes on different years of photos and came up with five to six acres pretty consistently. Note that the southern portion of the place of use (on the Clark property) includes hardscapes (house, driveways, etc.). Remember that the house, shop, driveways, etc. were built after 1987 on this portion of the property.

I also prepared and attached a rough draft for a new recommendation. Corrections &/or additions are highlighted in yellow. The irrigation volume is based on 4.0 afa per acre. The original license was issued for 25 acres and 100.6 afa and with the 5.9 acres and 23.6 afa on the attached recommendation we would be at about 17.6 acres and 70.2 afa for all of the 47-7115 pieces. I added a couple of conditions, one of which combines the irrigation amount with 47-10678 (Poppay domestic right from same wells) to clarify that her yard irrigation is included with the irrigation on 47-7115D.

It looks like the correct well location for the well that needs corrected is Spatial Data Point 135973 (Site tag A0001475).

Hopefully this will make things easier to make a new recommendation on this one.

Let me know if you have any questions,

Corey

fix well
POD
on
47-7115B
Charles Hill

(9/30/12)
-10276

V.2 Rec'd ADR 1/31/13

5.9 AC
23.6 AFA

FELCHOLD

FROM 1000
50N 100E

LENTZ

HARVEST

WELL #2 TO POPPY & GOMEZ

WELL #4 X 15 SPRINKLER #2
FOR FIELD (MAYBE)
WELL #1 & 20 DOWN SPRINKLER #1

MAIN LINES #1 & 2

HOUSE WATER #1 FROM HARVEST
HEAT & POOL #2

WAST WATER FROM LENTZ

APX 10 ACHERS
52 trees

DEEP CREEK

8 ACHERS

POUND

POPPY

GOMEZ

END WITH #2
TO PUT USE
GOMEZ USE
FROM #1 & 3
WELLS
#3 WELL IS
WAST ON ABOVE
PLACE

1989 Drawing (S.
per Evelyn
from 47-8100

SUNBELT RIVER.

Thompson

GROVER

Subscribed and sworn to (or affirmed) before me this 16th day of Nov. 2012

by Erika Frieda Kerpa-Allen

Mary C. Kelly
Notary Public
My commission expires 6-20-2015



Friday, Nov. 16, 2012

I am Erika Frieda Kerpa-Allen

The wife of deceased Edward

Henry Kerpa - deceased Nov. 24, 2005.

Edward H. Kerpa build the house

at 4586 River Rd, Buhl, ID 83316

also known as Kananaka Rapids

in 1972. This property is

irrigated by well #2. This well

was drilled by Boley, Henry, Weck of

Hurstough, ID. These 8 acres

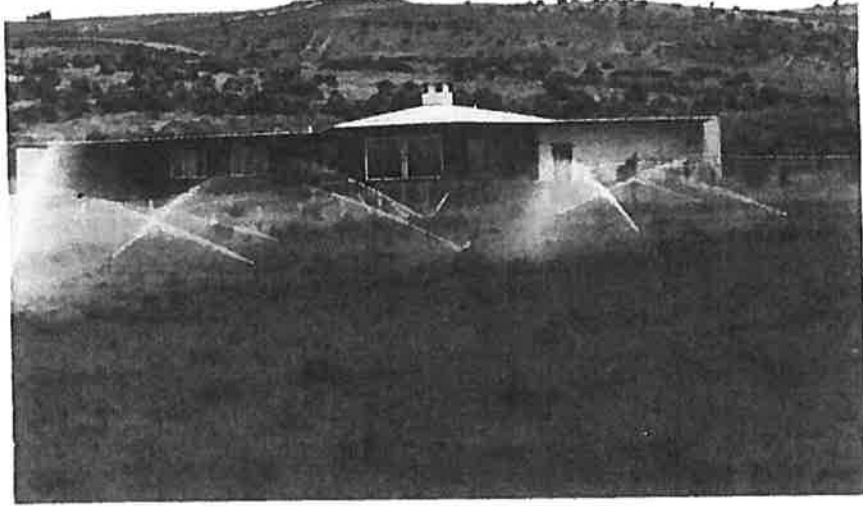
has been irrigated since 1974.

ph #

208-908-1432
(cell)

Erika F. Kerpa-Allen
320 14th Ave N.
Buhl ID 83316

Plumada 1^a grade 1972



2nd grade 1972
 1st grade 1972
 1972

12/03/2012

To whom it may concern:

I, William J. McClymonds did harvest alfalfa from the eight acre parcel in question prior to 1987. At that time the acreage was under sprinkler irrigation.


William J. McClymonds

State of Idaho
County of Twin Falls

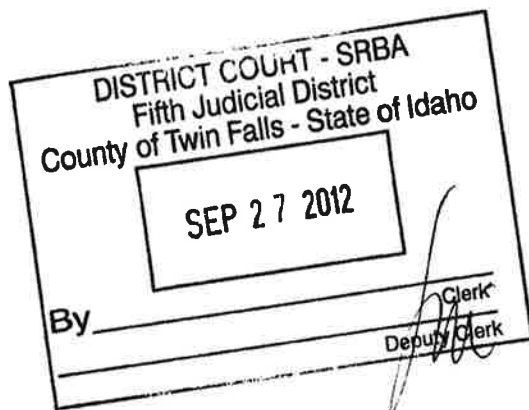
Subscribed and sworn to (or affirmed) before me this 4th day of Dec. 2012
by William J. McClymonds

Mary C. Kelly
Notary Public
My commission expires 10-26-2015





I want to ~~set~~^{file} a motion to set
aside parcel decress 47-07115 D
because of errors in the point of
diversion and place of use.



Paulyn L. Poppay

9-27-12

ADR due 1/31/13

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-07115D

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN - 1 2010

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: EVELYN L POPPAY
FRANK J POPPAY
4586 RIVER RD
BUHL, ID 83316

SOURCE: GROUND WATER
QUANTITY: 0.07 CFS
14.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands herein.

PRIORITY DATE: 04/08/1971

POINT OF DIVERSION: T09S R14E S09 NWSENE Within Twin Falls County
S10 LOT 2 (NWSWN)

PURPOSE AND PERIOD OF USE:

*

PURPOSE OF USE
Irrigation
Recreation

PERIOD OF USE
04-01 TO 11-30
01-01 TO 12-31

QUANTITY
0.04 CFS
14.00 AFY
0.03 CFS

SHOULD

BE SESENE
SECTION 9

T09S, R14E

The use of water for irrigation under this right may begin as early as March 15, provided other elements of the right are not exceeded. The use of water before April 1 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

T09S R14E S09

3.5 Acres Total

SENE 1.7

Within Twin Falls County

LOT 2 (SWNW) 0.8

Recreation

T09S R14E S09

SENE

Within Twin Falls County

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. I.C. SECTION 42-1412(6).

SHOULD BE
LOT 2

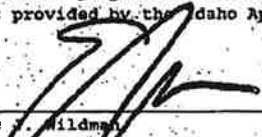
SWNW

SECTION 10

3.5 acres total? (8 acres were claimed)
does not include Ruth's property

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.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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: A47-07115D
Date Received: 10/11/1988
Receipt No: 500222
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK J. POPPAY
Address: RT. 3 BOX 229
BUHL, ID 83316 208-543-²⁹⁷⁹~~5781~~

AND/OR
Name: EVELYN L. POPPAY
Address: BUHL, ID 83316 208-543-5781

2. Date of Priority: APR 08, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	9	SE	SE	NE		TWIN FALLS
			NW	SE	NW		TWIN FALLS

5. Description of diverting works:
6" X530' WELL WITH 2" LINE TO HOUSE AND YARD (SEE REMARKS)

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		
RECREATION	01/01	12/31	0.030		
HEATING	01/01	12/31	0.030		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
HEATING HOUSE AND SWIMMING POOL.

A47-07115D

Page 1

Date: 10/11/88

MICROFILMED
MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	9	SE		NE		HEAT	
			SE		NE		REC	
			SE		NE		STOCK	
			SE		NE		IRR	2.0
			SW		NW		IRR	3.0
			NW		SW		IRR	3.0
Section Acres								8.0
Total Acres								8.0

should be → sec 10
 should be → sec 10

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:

APPLICATION FOR PERMIT FOR WASTE WATER. DOMESTIC EXEMPTION.

14. Remarks:

WATER USED FOR HEATING THE HOUSE IS RUN INTO THE POOL.
 6"X605' WELL WITH PIPELINE TO HOUSE AND SPRINKLER SYSTEM ON PASTURE.

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): *Polyn L. Pappay* Date:
Date: 10 11-88

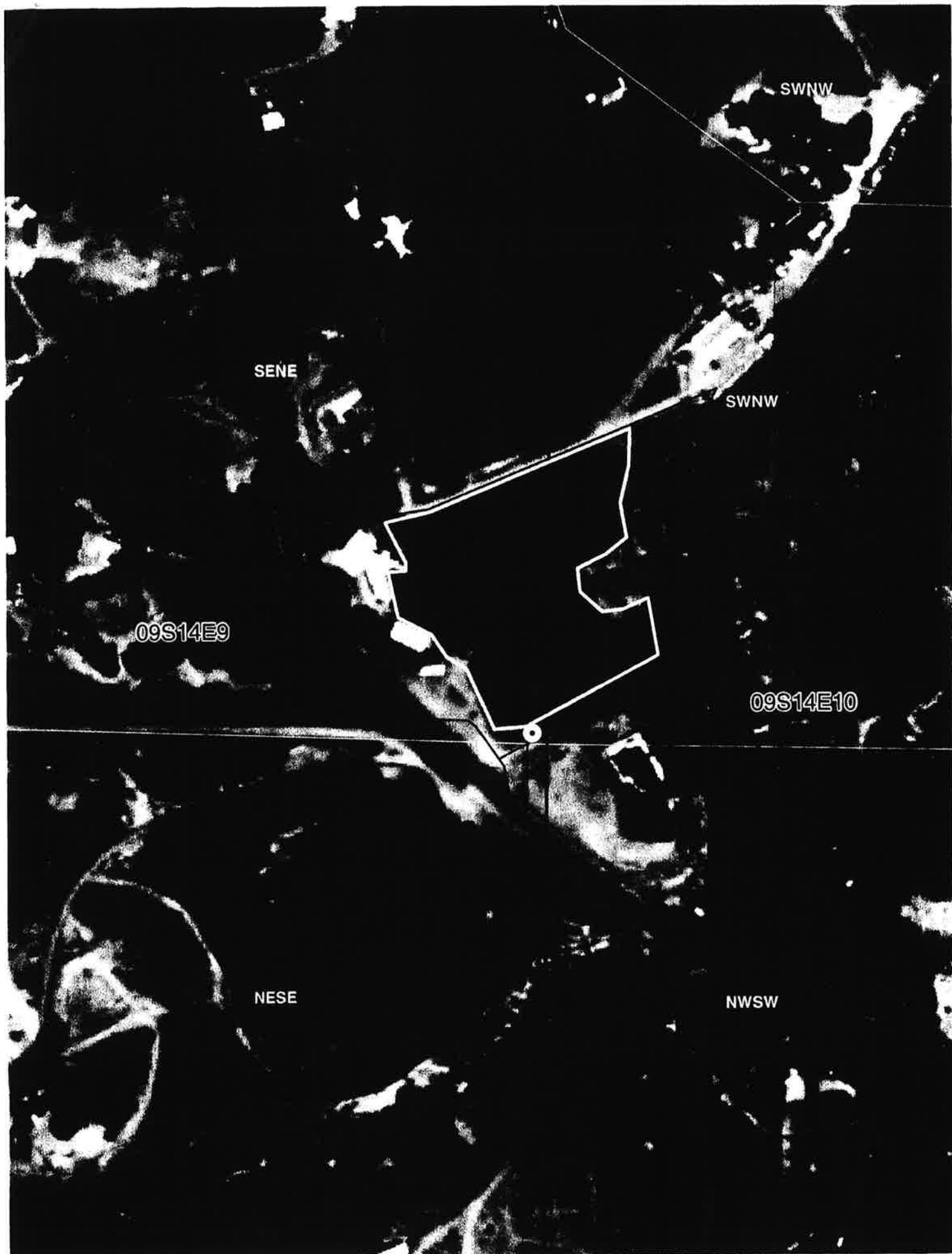
State of Idaho)
County of Therrell) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, ID
My Commission Expires 6-30-94





SWNW

SEW

SWNW

09S14E9

09S14E10

NESE

NWSW



SENE

WNW

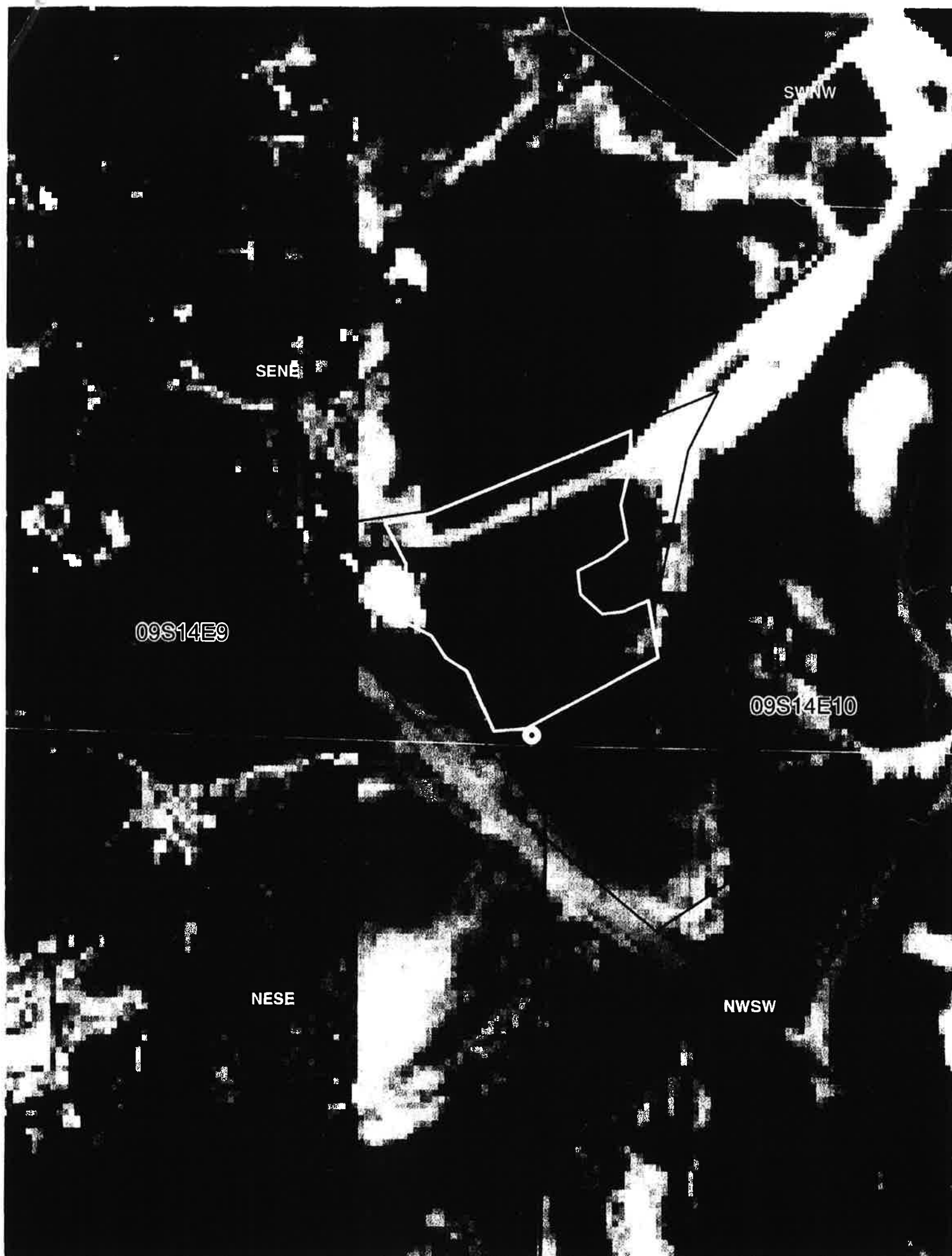
SWNW

09S14E9

09S14E10

1992

NWSW



SWNW

SENE

09S14E9

09S14E10

NESE

NWSW

Clelland, Steve

From: Kelly, Vicki
Sent: Wednesday, November 14, 2012 10:18 AM
To: Clelland, Steve; Bromley, Chris; Spencer, Nick
Subject: RE: 47-7115D (Poppay)

Yes, Evelyn did say that Frank was deceased. A Charles Zaccone sat in on the hearing. Thanks - Vicki

From: Clelland, Steve
Sent: Wednesday, November 14, 2012 9:53 AM
To: Bromley, Chris; Spencer, Nick; Kelly, Vicki
Subject: RE: 47-7115D (Poppay)

Dead? Hmm, maybe that's why he sounded so distant.
Or, it could have been Charles yelling from the other room... I may never know.
I will keep this in mind and deal with the ownership issues as well.

From: Bromley, Chris
Sent: Wednesday, November 14, 2012 9:41 AM
To: Clelland, Steve; Spencer, Nick; Kelly, Vicki
Subject: RE: 47-7115D (Poppay)

Steve,

Evelyn told us that Frank's been dead for about a year and a half. I think you spoke with a friend on Evelyn's—I think his name is Charles or Chuck. Charles/Chuck was on the call yesterday. Ownership is something else you'll want to bring up with her in terms of removing Frank's name from the water right.

Vicki, could you confirm this based on the notes I took that are in the file?

Chris

From: Clelland, Steve
Sent: Wednesday, November 14, 2012 9:38 AM
To: Bromley, Chris; Spencer, Nick; Kelly, Vicki
Subject: RE: 47-7115D (Poppay)

Just spoke with Frank and Evelyn Poppay.
I explained to them what I have determined so far with their right and what may need corrected. I am okay with updating the legal descriptions and that is easy to confirm. They told me someone from Southern actually made the notes I have here at my desk; they didn't know who that was. I told them the issue of acres and quantity may be more difficult since it depends on how the original license was split up – the total cannot exceed the original amounts. Let me know if you have any other issues with this. I will plan on having most of the answers by the 6th. (?)
Steve

From: Bromley, Chris
Sent: Tuesday, November 13, 2012 3:44 PM
To: Spencer, Nick; Kelly, Vicki; Clelland, Steve
Subject: 47-7115D (Poppay)

All,

Clelland, Steve

From: Bromley, Chris
Sent: Tuesday, November 13, 2012 3:44 PM
To: Spencer, Nick; Kelly, Vicki; Clelland, Steve
Subject: 47-7115D (Poppay)

All,

Evelyn Poppay (pronounced poppy, like the flower) will be calling Steve to talk through this. Poppay wants to look at: 1) POD legal description; 2) POU legal description; 3) POU total acres.

Evelyn has a sister, Ruth Story, that received a piece of this right via conveyance. I can't find in IWTRS that anyone named Story in B47 has anything other than a small domestic right (47-16825). It may be that Ruth Story needs to file a motion for late notice of claim. If needed, and based on the court's most recent basin closure order, the late claim must be filed no later than January 31, 2013.

SM Booth will put you all back on the record on December 6, 2012 at 10:00 a.m. Hopefully by the next status conference IDWR can inform SM Booth what is going on. It would also be helpful to know if Ruth Story needs to file a late notice of claim.

Chris

Kelly, Vicki

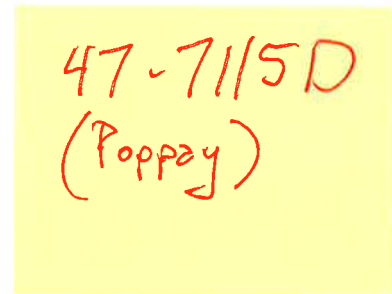
From: Kelly, Vicki
Sent: Monday, October 01, 2012 4:30 PM
To: Spencer, Nick
Subject: RE: 47-7115D (Poppay) Mo to Set Aside PD (SM Booth) NS/VK

The A portion of the right was objected to but it was one of the TFCC objections, so that's probably not going to be a help. There is a license involved on the parent right, and it looks like we knew there was an error there--we may have suggested the water user file a transfer to fix that (which they did). I haven't gotten much further than that. Don't know how the D portion came about right now. Not sure that this is an easy fix. Vicki

From: Spencer, Nick
Sent: Monday, October 01, 2012 4:09 PM
To: Kelly, Vicki
Subject: RE: 47-7115D (Poppay) Mo to Set Aside PD (SM Booth) NS/VK

Okay, I guess I'll see if someone can cover. I have no recollection of this Poppay person. Do you know if this is a complex situation? Thanks. NBS

From: Kelly, Vicki
Sent: Monday, October 01, 2012 4:01 PM
To: Spencer, Nick
Subject: RE: 47-7115D (Poppay) Mo to Set Aside PD (SM Booth) NS/VK



47-7115D
(Poppay)

Hi

He's got Dana that morning (at 9:30) and he may have allotted a full hour for that. I think it's probably the subcase that Andrea was referring to this morning—I can't recall if she thought it would settle out. So he'd have to go 9:00 am or after Wolf Springs (which could be close for you). Or we could have someone cover for you—that's fair, I think. V

-----Original Appointment-----

From: Spencer, Nick
Sent: Monday, October 01, 2012 3:12 PM
To: Kelly, Vicki
Subject: Declined: 47-7115D (Poppay) Mo to Set Aside PD (SM Booth) NS/VK
When: Tuesday, November 13, 2012 3:00 PM-3:30 PM (GMT-07:00) Mountain Time (US & Canada).
Where:

I can't do this hearing at this time. I will be out all that afternoon having an endoscopy procedure done. Do you think SM Booth might be willing to move it to, say, 9:30 that morning?

ACTION CHECKLIST

Subcase No.:

[illegible]

(like the flower)

D+S
right
so no
claims
~~PERMIT~~

47-16825

doesn't look like
it was claimed;
should file ASP
motion for late
claim

if there's irrig.
water left
under 47-7115D,
it needs to be
fired!