

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: A74-01570

Date Received: 5/5/90

Receipt No: 9999999

Received By: DC

RECEIVED

MAY - 5 1990

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM H. HERPST  
Address: P.O. BOX 51  
TENDON, ID 83468

Name: LOIS C. HERPST  
Address: P.O. BOX 51  
TENDON, ID 83468

2. Date of Priority: APR 01, 1954

3. Source: COW CREEK Trib. to: AGENCY CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 19N      | 24E   | 25      | NW SW             |     | LEMHI  |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.100  |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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Date: 04/30/90

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 19N      | 24E   | 25      | SW     | NW  |     | IRR           | 3.0   |
|          |       |         | NW     | SW  |     | IRR           | 2.0   |
|          |       |         |        |     |     | Section Acres | 5.0   |
|          |       |         |        |     |     | Total Acres   | 5.0   |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=4.6.

CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER  
COURT-AUTHORIZED STIPULATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

\_\_\_\_\_  
Decree Plaintiff

vs

\_\_\_\_\_  
Decree 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: 2

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): John E. Sells Date: 5/2/90

by Robert K. Charles JPA Date: \_\_\_\_\_

State of Idaho )

County of Lemhi ) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of May 19 90

Seal

John L. McKernin  
Notary Public

Residing at Laluna, Idaho

My Commission Expires 4/8/92

## SPECIAL POWER OF ATTORNEY

Know All Men by These Presents: That I John E. Sellsof P.O. Box 1278 Crystal Bay, Nevada 89407

have made, constituted, and appointed, and by these presents do make, constitute and appoint

Robert K. Charlesof Box 34 Tendoy, ID 83468, true and lawful attorney for and in hisname, place and stead, and for his use and benefit as follows:

To file all necessary claims for Water Rights appertaining  
to my real property in Lemhi County, Idaho, and to perform  
all acts required to protect the same.

and to sign, seal, execute, deliver and acknowledge such instruments in writing of whatever kind and nature  
as may be necessary or proper in the premises.

Giving and granting unto said attorney full power and authority to do and perform all and every act  
and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to  
all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirm-  
ing all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these  
presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 28thday of March, 1989

Signed, sealed and delivered in presence of

Janie CharlesJohn E. Sells (Seal)

(Seal)

STATE OF IDAHO,

County of Lemhi } ss.

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER  
FROM THE SNAKE RIVER BASIN  
WATER SYSTEM

CIVIL CASE NUMBER: 3956  
Ident. No.

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

Please type or print clearly:

Name of claimant(s) John E. Sells

\_\_\_\_\_  
\_\_\_\_\_

Mailing Address

(including zip code) Box 34

Tendoy, Idaho, 83468

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number (208) 756 - 2690

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