

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: A74-01571
Date Received: 5/5/90
Receipt No: X999999
Received By: DC

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: AGENCY CREEK

Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	24E	25	SW	NW			LEMHI
			SE	NW			LEMHI
		26	SE	NE			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	0.340		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A74-01571

Page

1

Date: 04/30/90

MICROFILMED

DEC 14 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	24E	25	SW	NW		IRR	6.0
			SE	NW		IRR	3.0
					Section Acres		9.0
		26	SW	NE		IRR	4.0
			SE	NE		IRR	3.0
					Section Acres		7.0
					Total Acres		16.0

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.=16.6.

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 P.O.A. Date: _____

State of Idaho)

County of Lewin) SS.

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

of May 19 90

Seal

John McKinney
Notary Public

Residing at Salmon, 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 28th
day of March, 1989

Signed, sealed and delivered in presence of

Janie CharlesJohn E. Sells (Seal)

STATE OF IDAHO,
County of Lemhi } ss.

On this 28th day of March in the year 1989, before me
John S. McKinney, a Notary Public

in and for said State, personally appeared John E. Sells

known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he 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.

STATE OF IDAHO,
County of _____ } ss.

John S. McKinney
Notary Public
4/92

I hereby certify that this instrument was filed for record at the request of _____
at _____ minutes past _____ o'clock _____ M.,
this _____ day of _____, A.D. 19____, in my office, and duly recorded in Book _____ of _____ at page _____

Ex-Officio Recorder.

Fees, \$ _____

By _____, Deputy.

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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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DEC 14 1992