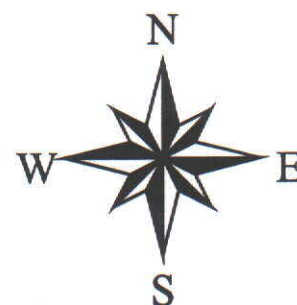




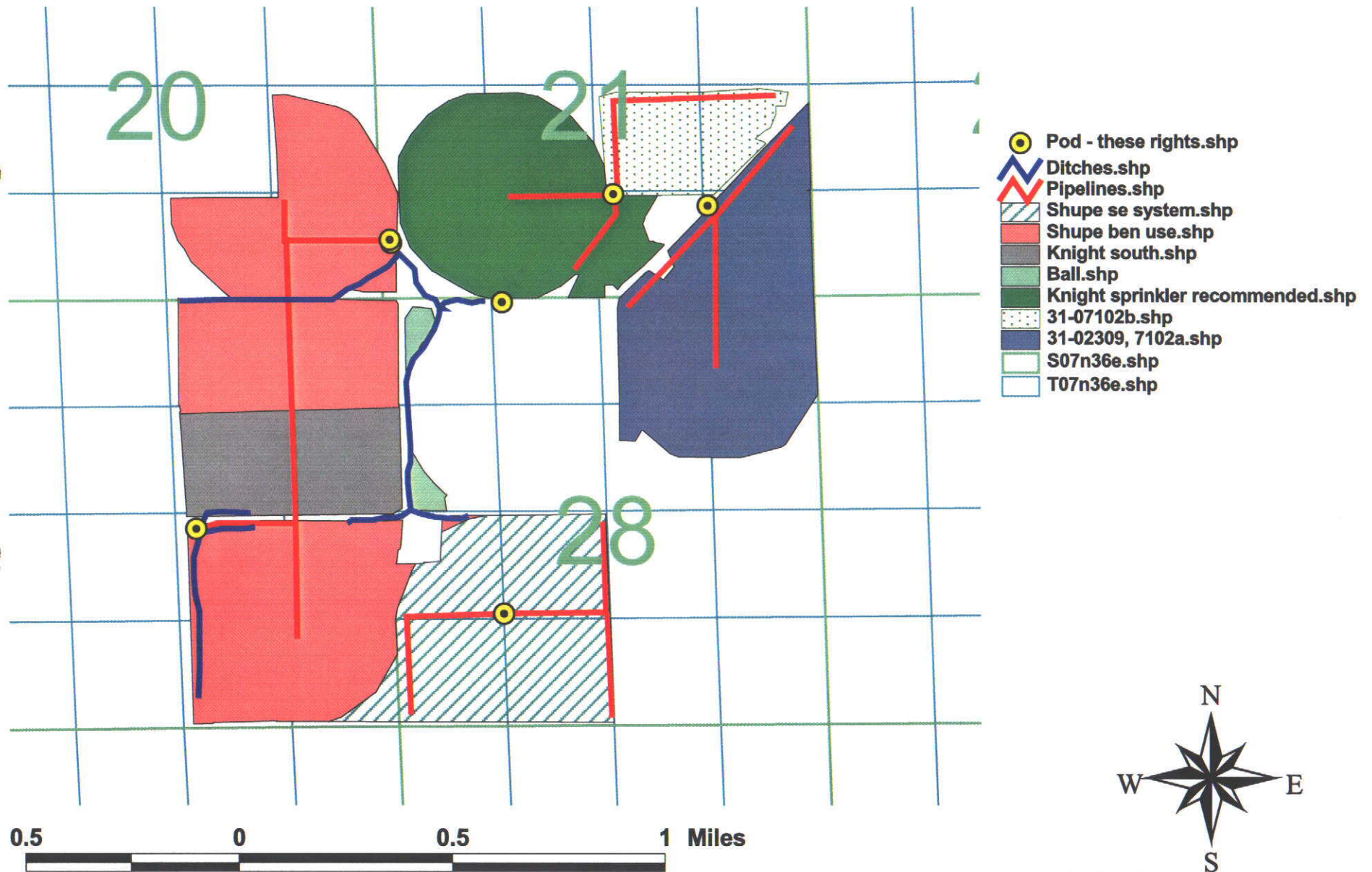
0 1320 Feet

- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000

Knight, Shupe, Jones/Ball Recommendations As Split by Ownership and System Design



B. Contor 9/7/2000

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LYLE R SHUPE Phone: (208) 662-5228

2296 E 1950 N
HAMER ID USA 83425

KARLENE SHUPE Phone: (208) 662-5228

2296 E 1950 N
HAMER ID USA 83425

2. Date of Priority: 01/25/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	36E	21	NW SE SE	JEFFERSON	
07N	36E	21	NE SE	JEFFERSON	

5. Description of diverting works:

2 WELLS 1 125 HP PUMP AND 40 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.11	

7. Total Quantity Appropriated is:

1.11 C.F.S.

A3111427



Township	Range	Section	1/4	or	1/4	Lot	Use	Acres
07N	36E	21	NE		SE		IRRIGATION	23
			NW		SE		IRRIGATION	33
Section Acres								56
Total Acres								56

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM AND 31-11426 WERE SPLIT FROM PARENT CLAIM 31-07102 BY ANALYSIS OF DISTRIBUTION SYSTEM. DIVERSION RATES APPORTIONED PER ACRE BY APPARENT INTENT OF ORIGINAL LICENSING COMBINED USE LIMITATIONS. BCONTOR 9/11/2000.

15. Basis of Claim: License

PO BOX 188
 HAMER, ID 83425
 (208)662-5501

Representative
 Representative
 JASON FRECKLETON
 DAVID JENSEN
 PO BOX 188
 HAMER, ID 83425
 (208)662-5501

Original Owner
 Original Owner
 ALAN N WEAVER
 SUSAN WEAVER
 BOX 384
 REXBURG, ID 83445
 (208)356-7657

Priority Date: 01/25/1974
 Basis: License
 Status: Valid

Source
 GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	1.11 CFS	167.1 AFA	
Total Diversion			1.11 CFS	167.1 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36E	21	NW SW SE		JEFFERSON

IRRIGATION Use:
 Acre Limit: 57

Place(s) of use:

Place of Use Legal Description: IRRIGATION
 JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	21		NESE	22.7		NWSE	33						

Total Acres: 55.7

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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-

Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	9/11/00 3:36:37 PM	bcontor			In Process
POU	9/11/00 3:43:31 PM	bcontor			In Process
	9/11/00 3:38:27 PM	bcontor			In Process
Priority Date	9/11/00 3:17:17 PM	bcontor			In Process
Quantity	9/11/00 3:44:45 PM	bcontor			In Process
Season	9/11/00 3:44:03 PM	bcontor			In Process
Source	9/11/00 3:37:04 PM	bcontor			In Process
Summary	9/11/00 4:01:24 PM		9/11/00 4:01:24 PM	bcontor	Complete
Use	9/11/00 3:39:17 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Overall Max Diversion Rate: 1.11
 Overall Max Diversion Volume: 167.1
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:C
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False
 Parent Right: 31-7102 WRADJUDICATIONCLAIM

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	9/11/00 3:36:36 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: NWMD field exam, drive-by 9/2000, and GPS. 6. (YES) The file contains all the necessary information to verify the POD. 8. (YES) Point of Diversion remark was required. 9. (NO) Point of Diversion condition was not required.
POD	9/11/00 3:33:11 PM	bcontor	Edited PLS

POU 9/11/00 3:38:26 PM bcontor

Comment for 9: Due to apparent discrepancies in GCDB, PLS not updated from shape. Total acres are correct and PLS of recommendation appears to map Courthouse ownership records.

12. (NO) POU remark was not required.

13. (NO) POU condition was not required.

1. (YES) The POU is required.

2. (NO) The basis of claim is not beneficial use.

3. (YES) The Parent Right has a POU.

4. (NO) The claimed POU can not be verified using the water right file.

5. (YES) There is evidence that there has been a change in the POU.

6. (YES) The change can be verified as an accomplished transfer.

Comment for 6: Minor changes in acres per qq per GIS analysis. Not an accomplished transfer.

9. (YES) The file contains all the necessary information to verify the POU.

12. (NO) POU remark was not required.

13. (NO) POU condition was not required.

Priority Date 9/11/00 3:17:14 PM bcontor

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (NO) The basis of claim is not beneficial use.

5. (NO) The basis of claim is not a posted notice.

6. (YES) Parent right has a priority date.

7. (NO) The basis of claim is not an application or permit.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

Quantity 9/11/00 3:44:44 PM bcontor

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

7. (YES) The parent right has an annual diversion volume limit.

8. (YES) Irrigation is a purpose of use.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

Season 9/11/00 3:44:02 PM bcontor

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a period of use.

3. (YES) The claimed Period of Use can be verified using the water right file.

12. (YES) Irrigation is the purposed use.

14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

Source 9/11/00 3:37:02 PM bcontor

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

Comment for 7: license, NWMD exam

8. (NO) The source is not surface water.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

Summary 9/11/00 4:01:22 PM bcontor

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CONNIE LARSEN Phone: (208)662-5501

PO BOX 188
HAMER ID USA 83425

BLAINE L LARSEN Phone: (208)662-5501

PO BOX 188
HAMER ID USA 83425

2. Date of Priority: 01/25/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	36E	21	NW SE SE	JEFFERSON
07N	36E	21	NE SE	JEFFERSON

5. Description of diverting works:

2 WELLS 1 125 HP PUMP AND 40 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.11	

7. Total Quantity Appropriated is:
1.11 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Recommended
e CWR

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM AND 31-11426 WERE SPLIT FROM PARENT CLAIM 31-07102 BY ANALYSIS OF DISTRIBUTION SYSTEM. DIVERSION RATES APPORTIONED PER ACRE BY APPARENT INTENT OF ORIGINAL LICENSING COMBINED USE LIMITATIONS. BCONTOR 9/11/2000.

15. Basis of Claim: License

SOURCE: GROUND WATER

QUANTITY: 1.11 CFS
167.1 AFY

PRIORITY DATE: 01/25/1974

POINT OF DIVERSION: T07N R36E S21 ~~NESWSE~~ Within JEFFERSON County

NWSWSE

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	1.11 CFS 167.1 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S21 NESE 22.7 T07N R36E S21 NWSE 33

55.7 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

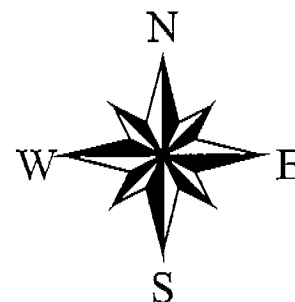
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 31-02291B, 31-10534, 31-11427.



0 1320 Feet



- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- ▬ Place of Use - Other Rights
- ▬ Quarter-quarter Sections
- ▬ Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000

B. Arlin Knight Notice of Error

31-2291

31-7277

31-10534

31-11449

31-11452

Mr. Knight is in New York & forgot
to mail NDE cards. Except for a need
to fill out change of ownership on ~~31-11427~~
he agrees.

31-11427
(Larsen)

These are all my claims.

Beyer

↓
Already
under
Larsen in
my log.

LYLE OR KARLENE SHUPE
2296 E 1950 N
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-11426 AND A31-11427

Dear Mr. and Mrs. Shupe:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,



Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	31-11426				
	31-11427				

2. The following **REQUIRED** information must be submitted with this form:

- A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ No fee
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Larsen
4. New Owner/Claimant(s) Lyle or Karlene Shupe
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2296 E 1950 N
- City, State and ZIP Code Hamer ID 83425
- New Telephone Number 208 662-5228
5. Date you acquired the property _____

please sign on back

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

X Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Lyle R. Shupe

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

LYLE R SHUPE
2296 E 1950 N
HAMER ID 83425

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 31-11427
HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

☐ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)

☐ SIGNATURE

☒ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question,

☒ LEGAL DESCRIPTION OF PROPERTY

☒ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

☐ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO
with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE
ENTIRE PACKET TO :

JENNIFER CRABTREE
IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE DR. STE A
IDAHO FALLS, ID 83402

under flap "AF Special File

Knight / Shupe / Jones / Ball "

in file A31-2291

B. Conton 11/6/00

These rights will be recommended on a per-system basis, as split by ownership.

The attached GIS sketches show the systems that will be recommended, with the schematic layout of ditches and mainlines, showing the physical interconnection between POD's and POU's.

A detailed analysis of rights, splits, and recommendations is contained in the "AJ Special File Knight/Shupe/Jones/Ball." This summary is attached to each recommendation.

The "31-02309, 7102A" shape is currently claimed by Blaine Larsen, but an anticipated Notice of Change of Ownership will result in it being recommended to Lyle Shupe, or perhaps split, with part recommended to Lyle Shupe and part recommended to Allan Shupe. It is served solely by the well adjacent to the north edge of the POU.

"Knight Sprinkler Recommended" and "31-07102B" are on a common system from the well between the two POU's. This system is recommended as two separate places of use because of ownership. 31-07102B is now claimed by Blaine Larsen but will likely be recommended to Lyle Shupe following Notice of Change of Ownership. The "Knight Sprinkler" POU will be recommended to Arlin Knight.

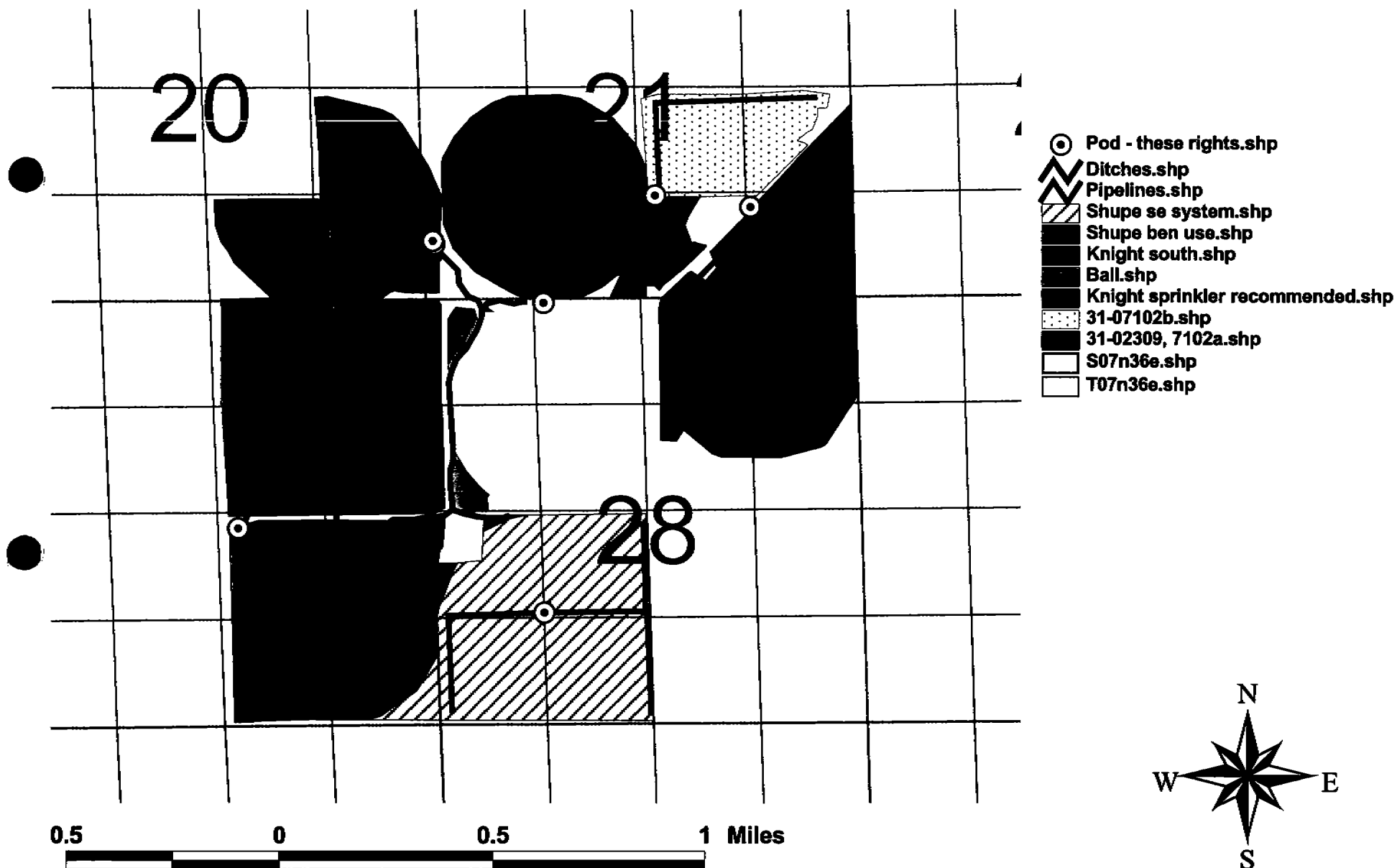
The "Ball" POU is currently claimed by Jones, but likely will be recommended to Ball following Notice of Change of Ownership. Ball will be invited to submit a beneficial use claim for additional diversion rate (due to notes in license file 31-02291, see below). It can physically be served by either the Knight Flood POD in 28, or the Shupe Flood POD in section 20. It will be recommended from the Knight POD as claimed.

The "Shupe SE system" is served only by the well in the SW of 28 and is owned by Lyle Shupe.

The "Shupe Ben Use" and "Knight South" POU are served by four wells. It is recommended as two systems because Knight owns the 80 acres in gray. The section 20 sprinkler well and the section 29 well pressurize a common mainline serving three center pivots. The Knight flood well, the Shupe flood well in section 20, and the Shupe well in section 29 supply water to ditches to serve flood-irrigated corners. Knight has filed 31-10534 for extra acres as an enlargement of 31-02291B, but these are not needed in light of an apparent accomplished transfer. However, it appears that a beneficial use claim is needed to claim the diversion rate subtracted in the licensing of 31-02291 due to overlap analysis with a right which is not claimed in the AJ (see licensing exam in WR file). An amended claim will be presented to Knight for signature.

Due to rounding, recommendations total just slightly more than 0.02/acre. Apparent current capacity (approx 20 cfs) exceeds recommendations (17.95 cfs) but this is likely not a problem because it is unlikely that all four wells on the Shupe Ben Use/Knight South system will be all operated at full capacity simultaneously.

Knight, Shupe, Jones/Ball Recommendations As Split by Ownership and System Design



B. Contor 9/7/2000