



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-10831, 29-10833,
29-13406, 29-13407

Place of Use: (parts of) T9S, R38E
Sec. 30 SE, W2NE, SENE

Point(s) of Diversion: T9S, R38E
Sec. 33 SENWNW

NOTE: Delivery through the
Topaz Canal system.



LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

12/23/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13406
NAME AND ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

NATHAN CASPERSON
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.190 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.4 CFS. COMBINED RIGHT NOS.: 29-10831,
29-10833, 29-13406, AND 29-13407.

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION:

T09S R38E S33 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.190 CFS
STOCKWATER	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S30	NWNE	2.7	T09S R38E S30	SWNE	37.0
T09S R38E S30	SENE	33.0	T09S R38E S30	NESE	33.0
T09S R38E S30	NWSE	39.0	T09S R38E S30	SWSE	18.0
T09S R38E S30	SESE	17.0			

STOCKWATER Within BANNOCK County

T09S R38E S30	SWNE	T09S R38E S30	SENE
T09S R38E S30	NESE	T09S R38E S30	NWSE
T09S R38E S30	SWSE	T09S R38E S30	SESE

179.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 179.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10831, 29-10833,
29-13406, 29-13407.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-10831
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

12/23/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPAZ CANAL
SYSTEM.

THIS RIGHT IS FOR AN ENLARGEMENT OF 59.7 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

Fee \$160⁰⁰

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 29-13406
Date Received: 10/21/2002
Receipt No:
Received By: E028393
ENLARGEMENT

ENLARGEMENT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 19 2002
Department of Water Resources
Eastern Region
A2913406



1. Name of Claimant(s)

NATHAN CASPERSON Phone: (208)776-5519
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID USA 83246

BRETT CASPERSON Phone: (208)776-5428
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 04/01/1962

3. Source: DEMPSEY CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	38E	33	SE NW NW	BANNOCK	

5. Description of diverting works:

POD OFF DEMPSEY CREEK ALSO SERVES TOPAZ CANAL SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.20	
STOCKWATER	04/01	10/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 25

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	38E	30	SE NE	IRRIGATION	33
			NE SE	IRRIGATION	33
			SE SE	IRRIGATION	17
			NW NE	IRRIGATION	3
			SW NE	IRRIGATION	37
			NW SE	IRRIGATION	39
			SW SE	IRRIGATION	18
			SW NE	STOCKWATER	

SE	NE	STOCKWATER
NE	SE	STOCKWATER
NW	SE	STOCKWATER
SW	SE	STOCKWATER
SE	SE	STOCKWATER

Section Acres 180

Total Acres 180

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM AUTHORIZES NO ADDITIONAL WATER. ONLY IRRIGATION OF AN ADDITIONAL 60 ACRES WITHIN THE POU SHOWN THAT HAS BEEN IRRIGATED SINCE 1962.

THIS IS AN ENLARGEMENT CLAIM OF 29-10831 AND 29-10833 FOR 60 ACRES.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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:

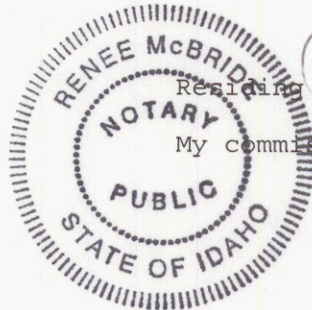
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Brett Casperson Date: 12-18-02

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of December 2002 Renee McBride



Notary Public

Residing at

Lava Hot Springs

My commission Expires May 31, 2006

T9S, R38E

Casperson, brett

29-10831 (Decreed)

29-10833 (Decreed)

29-13406 (Enlargement)

NWNE

3

SWNE

37

SENE

33

NWSE

39

NESE

34

SESE

17

SWSE

18

30 29

31 32

29 28

32 33

Dempsey Creek

Dempsey-Topaz Canal

Dempsey Creek