

Property
 ELMER
 336-3431
 90 Box 5291
 Boise IDA
 83705

TIPANUK FARMS SUBDIVISION

THE SOUTH 1/2, SECTION 14, T.2S, R.5E, BM
 ELMORE COUNTY, IDAHO

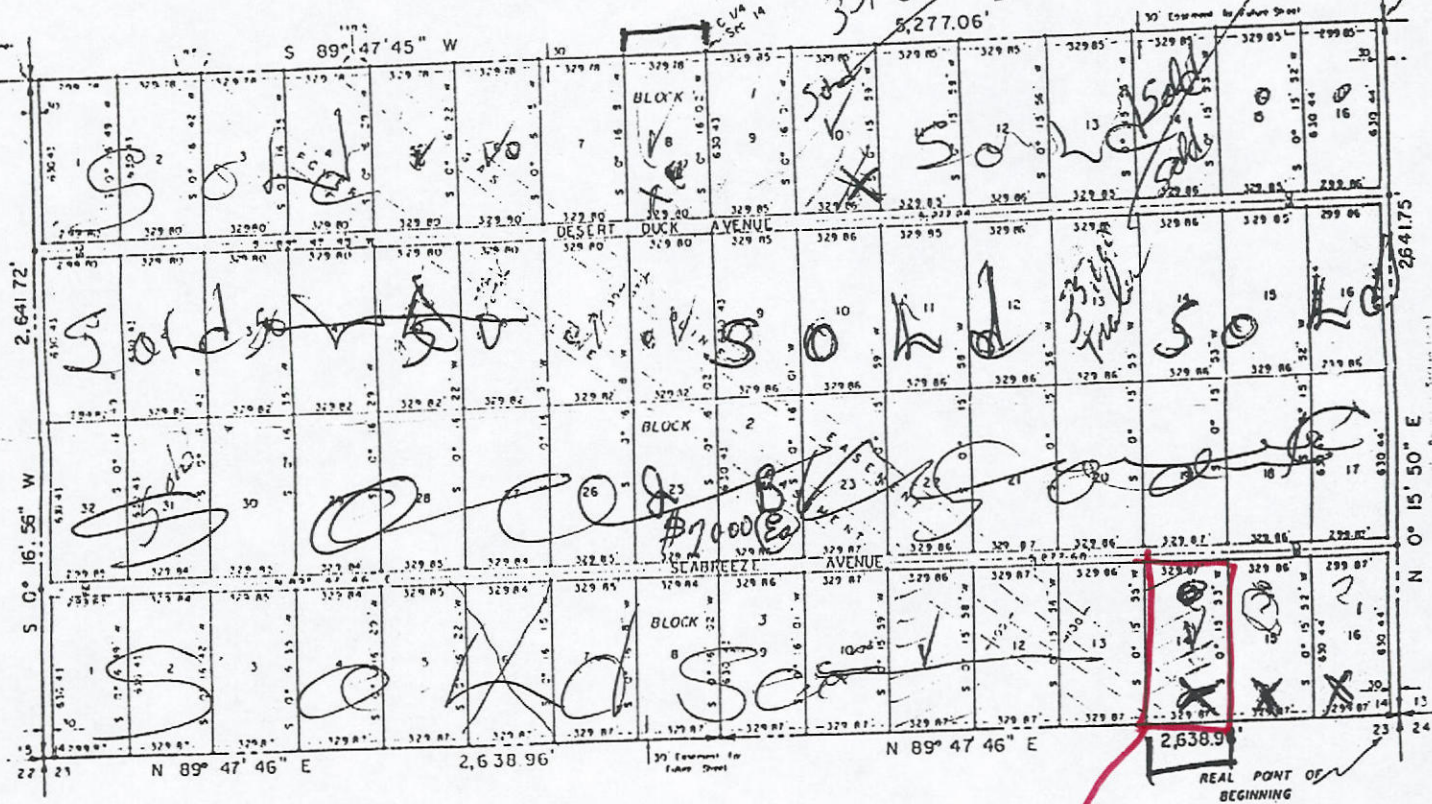
1973

Guaranty Title and Abstract Co.
 150 S. Third East
 Mountain Home, Idaho 587-5131

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.

Hand wells Sept 1973
 35000? 2 Home

\$35,000
 2 Bld
 146
 Mob
 6 Gwa
 Sept
 T.A.



183.00

P/D.

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: **A61-11803**
Date Received: 9/15/1998
Receipt No: W024394
Received By: _____

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

1. Name: SCOTT D WAGNER 208-828-4269
Address: 140 SEABREEZE AVE
MOUNTAIN HOME ID 83647
AND/OR
Name: THERESSA G WAGNER 208-828-4269
Address: 140 SEABREEZE AVE
MOUNTAIN HOME ID 83647

2. Date of Priority: SEP 15, 1998

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05E	14	SE	SE			ELMORE

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05E	14	SE	SE		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

LOT 14, BLK 3 TIPANUK FARMS SUB., SEA BREEZE AVE.

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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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: A61-11803
Date Received: 9/15/1998
Receipt No: W024394
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SCOTT D WAGNER 208-587-7735
Address: 47 CANYON PL
MOUNTAIN HOME ID 83647

AND/OR

Name: THERESA C WAGNER 208-587-7735
Address: 47 CANYON PL
MOUNTAIN HOME ID 83647

2. Date of Priority: SEP 15, 1998

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	05E	14	SE	SE			ELMORE

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05E	14	SE	SE		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

LOT 14, BLK 3 TIPANUK FARMS SUB., SEA BREEZE AVE.

15. Basis of Claim: BENEFICIAL USE

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

Identification No. Ala1-11803

Date Received 9/15/98

Receipt Number W024394

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Scott D & Theresa C Wagner Phone (208) 587-7735

Mailing Address 47 Canyon Place. M+N. Home Zip 82647

2. Date of Priority (Only one per claim) 9/15/98 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 2S Range 5E
Section 14, _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
County of ELMORE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Drilled well Treasure Valley Drilling

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount .04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic: 1 household

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 2S Range 5E

Section 14, SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes ☒ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

() None or None

14. Remarks: Lot 14 Block 3 SEA BREEZE AVE.

TIPANUK FORMS SUBDIVISION

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Scott Wagner Date 9/15/98

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 15 day of September 19 98

SEAL

Notary Public Lori Haddon

Residing at Boise, Idaho

My Commission Expires 12-8-2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Property
 ETHERIDGE
 336-3431
 90 Box 5291
 Boise IDA
 83705

TIPANUK FARMS SUBDIVISION
 THE SOUTH 1/2, SECTION 14, T.25. R.5E. BM
 ELMORE COUNTY, IDAHO

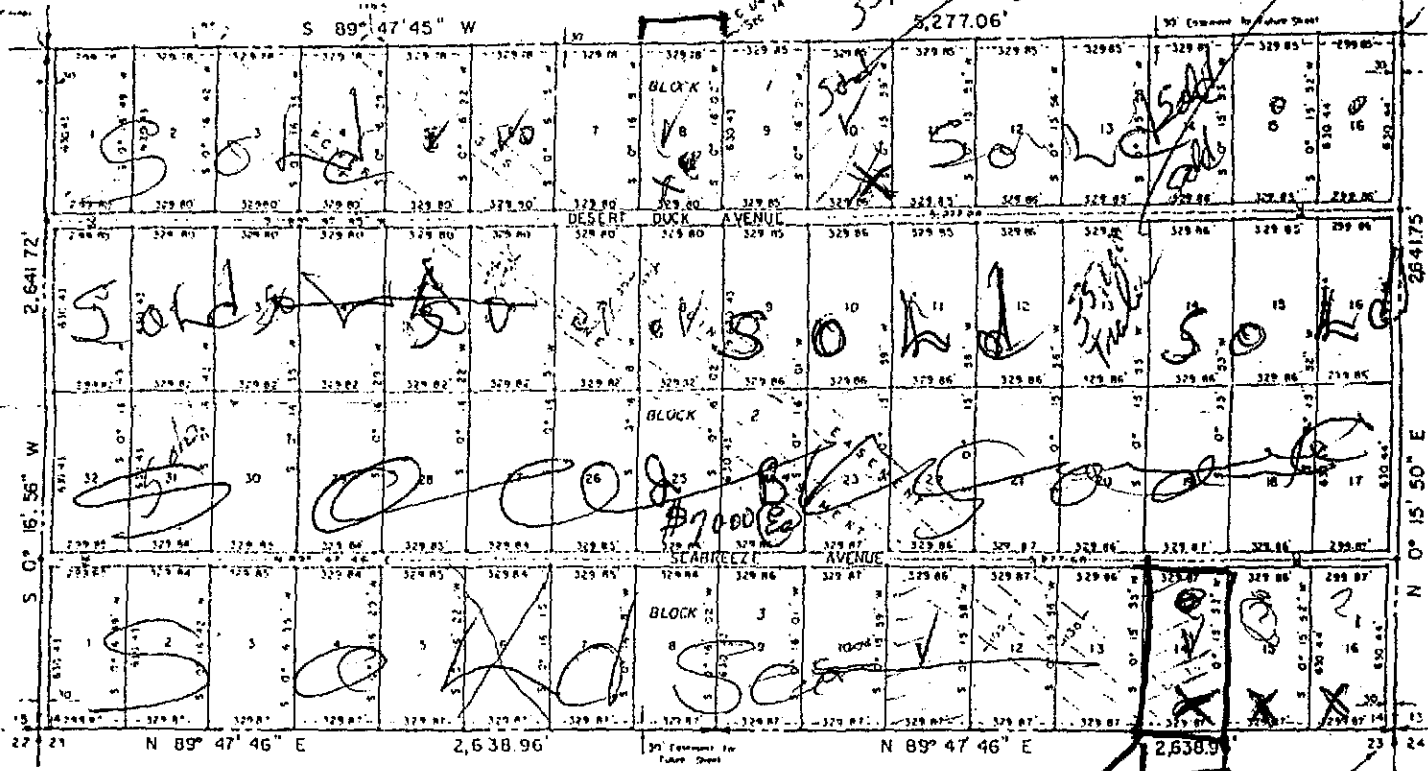
1973

Guaranty Title and Abstract Co.
 150 S. Third East
 Mountain Home, Idaho 587-5131

While this map is a photographic reproduction of that on
 file in either the recorder's or surveyor's office, the
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 another or re-survey.

Hand wells Sept 1973
 35000? Sept 1973
 2 Home

\$35,000
 2 Bldg
 146r
 Mob
 6w
 2w
 1A



183.00

P/D.

AJ0749NP
No. R61-11803

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

DATE: 02/05/99
PAGE: 1

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=====
OWNER      PRIORITY  USE PERIOD  DIVERSION  DIVERSION
CODE       DATE       FROM TO    RATE      VOLUME
-----
C SCOTT D WAGNER      09/15/1998 DOMESTIC      01-01 12-31      0.04 CFS
C THERESSA G WAGNER
  140 SEABREEZE AVE
  MOUNTAIN HOME ID 83647
  (208) 828-4269
TOTAL DIVERSION:      0.04 CFS
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02S R05E S14

SESE

ELMORE County

Place of use Legal Description for: DOMESTIC

```

      NE      NW      SW      SE
  NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :
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 Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
--- --- : ----- : ----- : ----- : ----- :
02S 05E 14 :      :      :      :      :      :      :      :      :

```

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP AKA LOT 14, BLOCK 3, TIPANUK FARMS SUBDIVISION

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 11/20/1998 User-ID: JSHURTE Subject: COPIED FROM REMARKS
AKA LOT 14, BLK 3 TIPANUK FARMS SUBD., SEA BREEZE AVE.

Date: 12/16/1998 User-ID: JSHURTE Subject: ADDRESS CHANGE
PER NOTICE OF ERROR - ADDRESS AND CLAIMANTS NAME CORRECTED.

Audit: 02/05/99 WSRBA

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 02 1998

Please type or print clearly, fill out this form completely and mail.

Department of Water Resources

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-11803

SCOTT D WAGNER

~~THERESA C WAGNER~~ THERESA G.

~~47 CANYON PL~~ 140 SEABREEZE AVE

MOUNTAIN HOME ID 83647

RECEIVED

DEC 03 1998

WATER RESOURCES
WESTERN REGION

Daytime Telephone Number: 208 828 4269
Evening Telephone Number: 208 599 4521

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: NOV 29, 1998

SIGNATURE:

Scott D Wagner

Please print your name:

SCOTT D WAGNER

AJ5853NP
1515

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

DATE: November 20, 1998
PAGE: 1

RIGHT NUMBER: 61-11803

NAME AND ADDRESS: SCOTT D WAGNER
~~THERESA C WAGNER~~
~~47 CANYON PL~~
MOUNTAIN HOME ID 83647

*THERESA G.
140 SEABREEZE AVE*

RECEIVED
DEC 02 1998

Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

RECEIVED
DEC 03 1998
WATER RESOURCES
WESTERN REGION

PRIORITY-DATE: 09/15/1998

POINT OF DIVERSION T02S R05E S14 SESE Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within ELMORE County
T02S R05E S14 SESE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
AKA LOT 14, BLOCK 3, TIPANUK FARMS SUBDIVISION

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

.....

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE

Place of use Legal Description for: DOMESTIC

POU County: ELMORE

Conditions of Approval:

Remarks: EXP AKA LOT 14, BLOCK 3, TIPANUK FARMS SUBDIVISION

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

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

Comments: Date: 11/20/1998 User-ID: JSHURTE Subject: COPIED FROM REMARKS
AKA LOT 14, BLK 3 TIPANUK FARMS SUBD., SEA BREEZE AVE.

Audit: 11/20/98 JSHURTE