

License of Water Right No.	65-2-190	Priority	1-27-18	Amount	0.5 c.f.s.
----------------------------	----------	----------	---------	--------	------------

No.	65-2490	issued pursuant to Application for Permit dated	1-27-48
-----	---------	---	---------

and has submitted proof to the Department of Water Administration on 4-6-48

that he has applied water to a beneficial use: an estimation by the Department indicates that the

works have a capacity of 0.5 c. f. s., and that the water has in fact been applied to a

beneficial use; a right to the use of water from a ground-water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 0.5 c. f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount for from to (both dates inclusive)

Subject, however, to the condition that no more than 0.5 c. f. s. of water be diverted at any one time, said waters to be diverted within the

SW 1/4 Sec. 25, T. 9 N., R. 5 W., B. M.

in the county of: Privette

Right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 112.5 acre feet per year or

4.5 acre feet per acre.

Description and location of place of use;

[illegible]

Total number of acres irrigated 25

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use hereinafter described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of January, 19 71.

[Signature]
Director

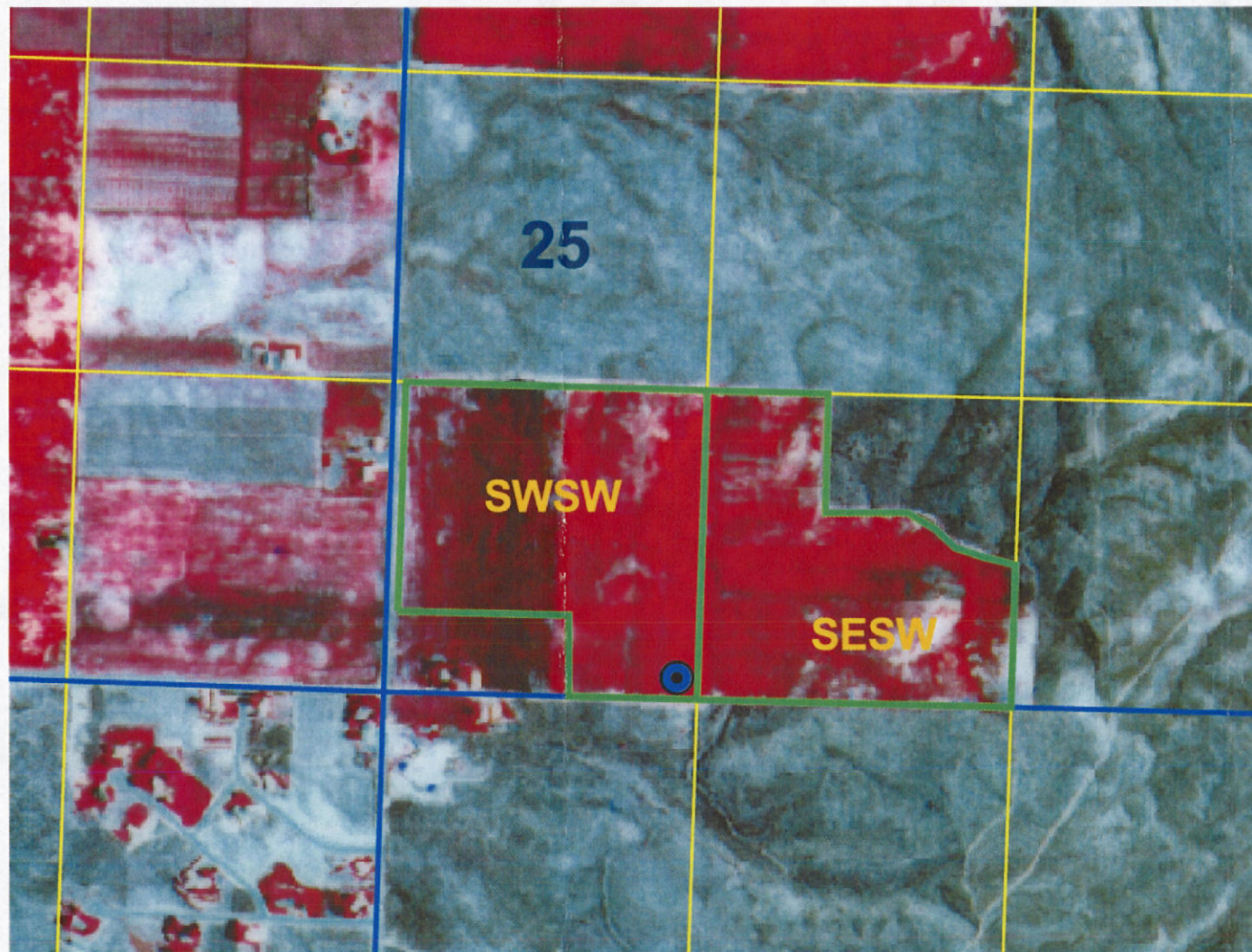
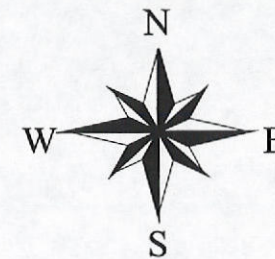
65 2490

MICROFILMED
SEP 18 1992

SEP 18 1992

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

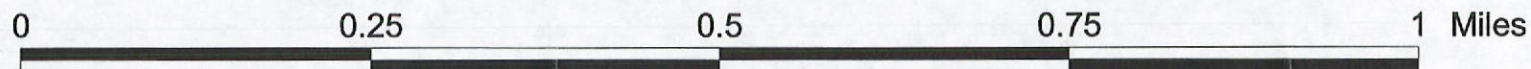
6 SECTION NUMBERS

CLAIM(S): 65-02490

OWNER(S): FILIPPONI

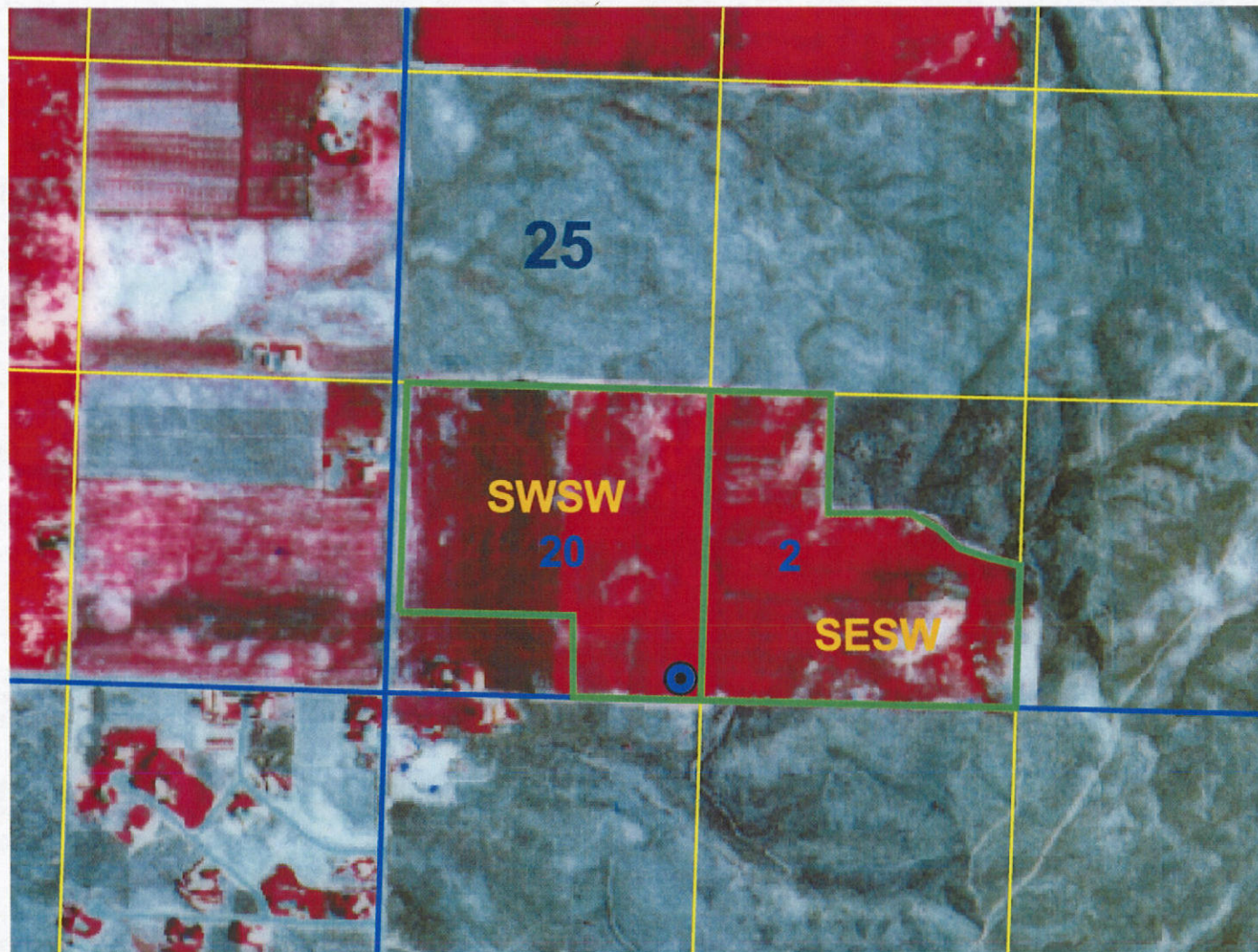
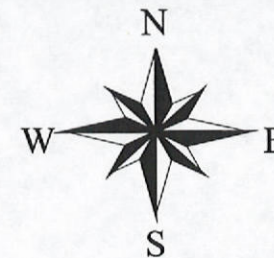
DATE: DECEMBER 15, 2000

By: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

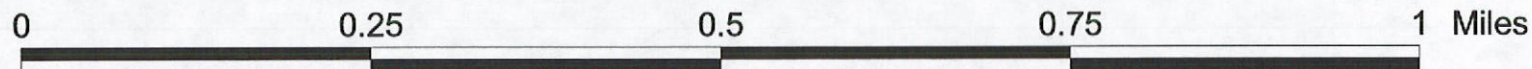
6 SECTION NUMBERS

CLAIM(S): 65-02490

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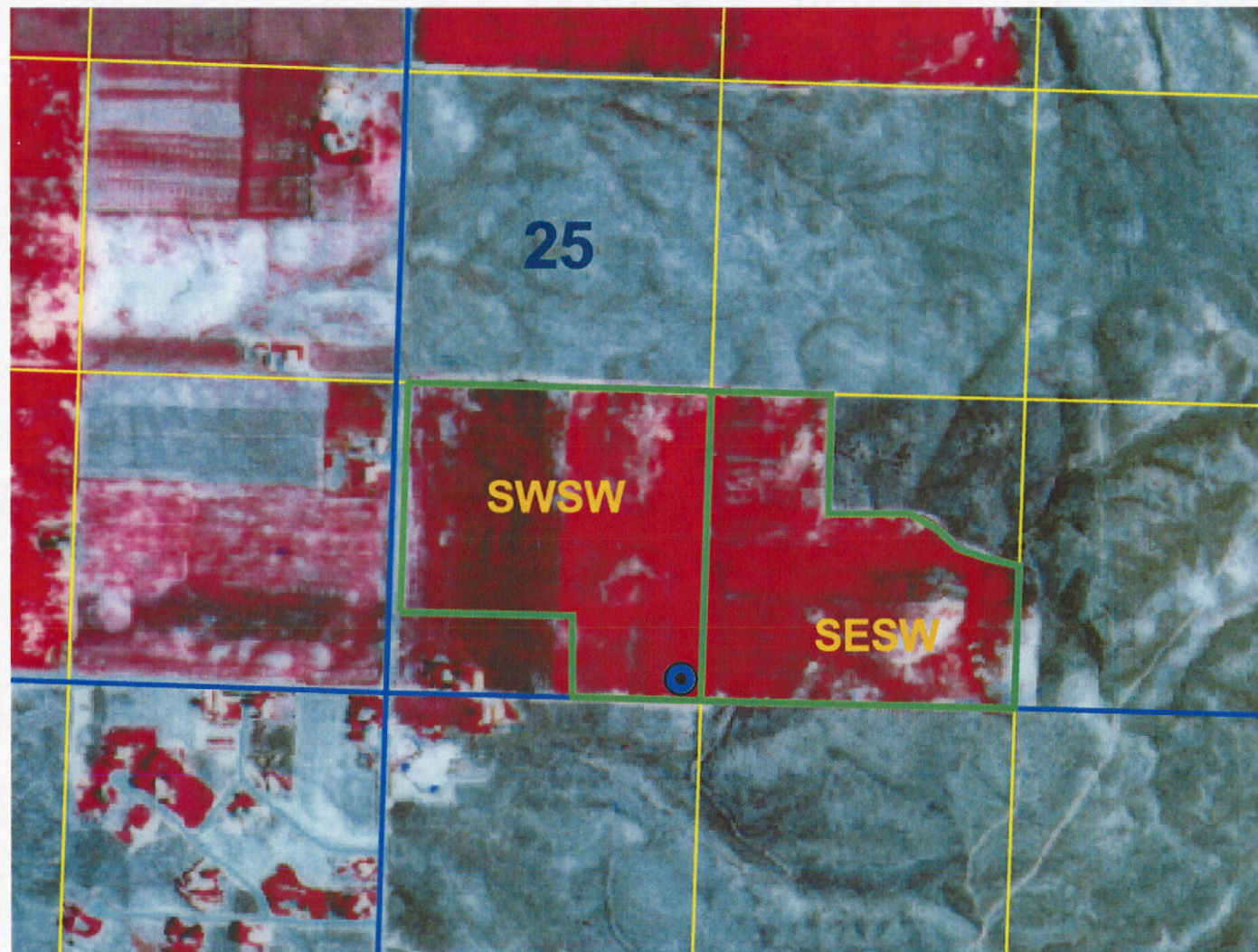
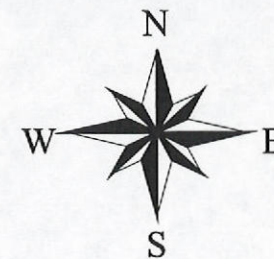
DATE: DECEMBER 15, 2000

By: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

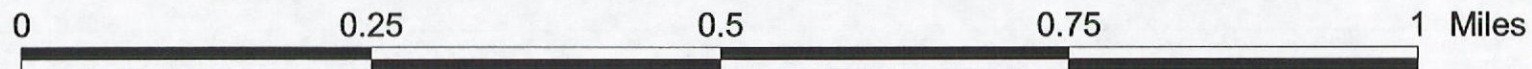
6 SECTION NUMBERS

CLAIM(S): 65-02490

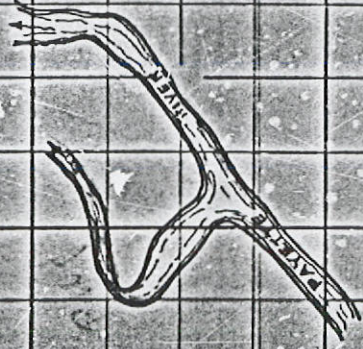
OWNER(S): FILIPPONI

DATE: DECEMBER 15, 2000

By: Mel Schulte



Field exam for 65-02490



27

26

25

Pier

2

Point of Diversion

35

36

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 65-2490
Date Received: 2/16/90
Receipt No: C014769
Received By:

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

1. Name of Claimant(s)

HENRY M FILIPPONI Phone: (208)642-9238

10189 PAYETTE HEIGHTS
PAYETTE ID USA 83661

2. Date of Priority: 01/27/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	05W	25	SW SW	PAYETTE	

5. Description of diverting works:

WELL, PUMP, PIPELINE, DITCHES, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09N	05W	25	SW SW	IRRIGATION	8
			SE SW	IRRIGATION	2

				Section Acres	10
09N	05W	26	SE SE	IRRIGATION	12
				Section Acres	12
				Total Acres	22

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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: A65-02490
Date Received: 2/16/1990
Receipt No: 2014769 12672
Received By: *[Signature]*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HENRY M. FILIPPONI 805-928-9308
Address: 1376 YALE PLACE
SANTA MARIA, CA 93454

2. Date of Priority: JAN 27, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	25	SW	SW	SW		PAYETTE

5. Description of diverting works:
WELL, PUMP, PIPELINE, DITCHES, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	25	SW	SW		IRR	8.0
			SE	SW		IRR	2.0

A65-02490

Page 1

Date: 08/31/90

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SEP 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
		26	SE	SE	IRR	12.0
					Section Acres	12.0
					Total Acres	22.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
A65-07284

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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: _____

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): Henry L. Lippert Date: 8-31-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 31 day

of Aug 19 90

Seal

M. J. Gibson
Notary Public

Residing at Boise, Idaho

My Commission Expires 9-2-1994

COPY

P-19667,400/209 & 1000/210

WARRANTY DEED

For Value Received

KENNETH R. CONDUCT and LOUISE G. CONDUCT, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto

HENRY M. FILIPPONI and MONICA J. FILIPPONI, husband and wife,
the grantee s, whose current address is 10189 Payette Heights road,
Payette, Idaho 83661

the following described premises, in Payette County Idaho, to-wit:

Land in Twp. 9 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 25: The S½SW¼ EXCEPTING THEREFROM a parcel of land in the SW¼SW¼, more particularly described as follows:
Beginning at the Southwest corner of said Sec. 25;
thence N. 0°08'18" W. coincident with the West boundary line of said Sec. 300.00 feet;
thence S. 89°44'32" E. parallel with the South boundary line of said Sec. 726.00 feet;
thence S. 0°08'18" E. parallel with said West boundary line 300.00 feet;
thence N. 89°44'32" W. coincident with said South boundary line 726.00 feet to the TRUE POINT OF BEGINNING.

In Sec. 26: The SE¼SE¼.

TOGETHER with any and all water, water rights, ditches, ditch rights, minerals, mineral leases and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing,

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: August 14, 1990

Kenneth R. Conduct
Kenneth R. Conduct

Louise G. Conduct
Louise G. Conduct

STATE OF IDAHO, COUNTY OF Payette
On this 14th day of August, 19 90,
before me, a notary public in and for the said State, personally appeared:
Kenneth R. Conduct and Louise G. Conduct

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Sheriff Miller
Notary Public
Residing at Payette, Idaho
Comm. Expires 3-1-94

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

MICROFILMED

SEP 18 1992

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: A65-02490

Date Received:

Receipt No:

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH CONDUCT
Address: RT. 1 BOX 44
PAYETTE, ID

83661

2. Date of Priority: JAN 27, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	05W	25	SW	SW	SW		PAYETTE

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	0.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09N	05W	25	SW	SW		IRR	~~20.0~~ 8
			SE	SW		IRR	2.0
		~~25~~	~~SW~~	~~SW~~			~~22.0~~ 8
		26	SE	SE			12

A65-02490

Page

1

Date: 08/27/90

*Amended acres per Henry
Filipson when ownership change made.*

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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: _____

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, 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. No.

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

RECEIVED

FEB 16 1990

Filed 2-14-90 DRS
Department of Water Resources

Please type or print clearly:

Name of Claimant(s) K.R. and/or Louise B Condict

Mailing Address
(include Zip Code)

1820 Broadway DR
KINGMAN AZ
86401

Phone Number (602) 753-1820

MICROFILMED

SEP 18 1992

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: A65-02490

Date Received:

Receipt No: C014769

Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH CONDUCT
Address: RT. 1 BOX 44
PAYETTE, ID

83661

2. Date of Priority: JAN 27, 1948

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09N	05W	25	SW SW		PAYETTE

5. Description of diverting works: FLEC TURBINE PUMP
THROUGH PIPE LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	25	SW SW		IRR	20.0
			SE SW		IRR	2.0

Section Acres 22.0

A65-02490

Page 1

Date: 01/31/90

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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:

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): K R Condict Date: 2-12-90
Louise G. Condict Date: 2-12-90

State of ~~Idaho~~ Arizona)
County of Mohave) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of February 19 90

Linda S. Innes
Notary Public

Seal

Residing at Kingman
My Commission Expires May 31, 1990

Water Right Number - 65-02490 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CONDICT KENNETH 1 - RT. 1 BOX 44
2 -
3 -
City- PAYETTE State- ID Zip- 83661
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/27/1948 14 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09N 05W 25 SW SW (75) PAYETTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.500

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09N 05W 25 SW SW 20.0 01 IRRIGATION (75) PAYETTE
09N 05W 25 SE SW 2.0 01 IRRIGATION (75) PAYETTE

Total Acres: 22.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED

SEP 18 1992

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 65
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 01/21/1986	Presumption Flag	-	Microfilm Roll Number	-

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SEP 18 1992

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 65-2490-1-1 Priority 1-27-48 Amount 0.5 c.f.s.

This is to certify that the Estate of C. H. Grant, Decedent - Ten Grant, Administrator

of Payette, Idaho, has complied with the terms and conditions of Permit No. 65-2490-1-1 issued pursuant to Application for Permit dated 1-27-48

and has submitted proof to the Department of Water Administration on 4-5-48 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 0.5 c.f.s. and that the water has in fact been applied to a beneficial use; a right to the use of water from a ground-water source.

tributary of is hereby reaffirmed in the following amounts:

Amount 0.5 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount 14 for from 14 to (both dates inclusive)
Amount 14 for from 14 to (both dates inclusive)

subject, however, to the condition that no more than 0.5 c.f.s. of water be diverted at any one time, said waters to be diverted within the

SW 1/4 Sec. 25, T. 9 N., R. 5 W., N. M.

in the county of Payette and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 112.5 acre feet per year or

4.5 acre feet per acre.

Description and location of place of use:

TO RANGE	SEC.	1st 1/4				2nd 1/4				3rd 1/4				4th 1/4				TOTAL
		AC.	MO.	SW.	SE.	AC.	MO.	SW.	SE.	AC.	MO.	SW.	SE.	AC.	MO.	SW.	SE.	
9 N	5 W	25																25

Total number of acres irrigated 25

The right to the use of the water hereby confirmed is restricted and appurtenant to the land or place of use here in described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of

January 19 71

[Signature]
Director

2490

262

A136

563

4130

A139

4139

A140

4140

4141

93

601

A140

A147

A148

601

24AC

100

3536

A177

544

51

51

51

10

MICROFILMED

SEP 18 1992

-642-485

60

DATE OF EXAM 8/18/80

ACREAGE

Found 64 ✓
Recommended 60 ✓ - due to limit of permit

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 1.06 c.f.s. V = 270 AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

CAPACITY

Total Q measured 1.06 c.f.s. Method of measurement ANNULAR ✓

Total Q recommended 1.06 c.f.s. Meter No. 191134 Type 6" Condition GOOD

Total V recommended 270

Recommended Amendments: _____

P.D. _____

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION:

6" ANNULAR - 11" H₂O = 471 gpm or 1.06 c.f.s.
(LOW METER) 471 gpm
4.5 AFA X 60 ACRES = 270 AC FT. X 1.95 X 0.80 = 358 AF
use on lic.

SYSTEM DESCRIPTION:

50 HP MOTOR LOUIS ALIS - Serial # 2800661
LAYNE BOWLER VERTI-LINE # D R 644, 6" MAINLINE TO SPRINKLER
SYSTEM.

REMARKS:

CONDIC'S NEW APPRISAL - RE. #1, Box 47A
PHOTO, SD 83661

#65-2490 - DIFFERENT P.D. - 23 ACRES SPONGE LAND AT 1" P.D. MORE = 0.46
- THIS LIEUENS - 60 AC. = 0.46 AC. - 40 AC. - 1.95 X 0.80 = 358 AF

Examiner's Signature _____

Date 8/18/80

Checked by DBS

Date 8/26/80

Approved by R. R. R.

Date 1/7/81

MICROFILMED

SEP 18 1992

OVER
LMP
E 16 (4.5)
condition
rechecked

Jim 2/25/82

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Conduct

CLAIM IDENT. NO.

AG-02490

DATE RECEIVED

2-16-90P.214

CK #

AMOUNT \$ exempt

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☒ YES *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A ☒ YES *
22. Should this claim be data entered? ☐ YES ☐ NO *

Claim checked by: RafDate: 4/4/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

SEP 18 1992

04/16/2001

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

RIGHT NUMBER: 65-2490

NAME AND ADDRESS: HENRY M FILIPPONI
10189 PAYETTE HEIGHTS
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.5 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-7284A SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.5 AFA
PER ACRE.

PRIORITY DATE: 01/27/1948

POINT OF DIVERSION: T09N R05W S25 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.50 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>			
T09N R05W S25	SWSW	20	T09N R05W S25
			SESW 2

22 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 - Decreed

03/07/2001

RECEIVED

NOTICE OF ERROR
REPLY

APR 13 2001

WATER RESOURCES
WESTERN REGION

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

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: April 13, 2001

Water right number: 65-2490

HENRY M FILIPPONI

1376 YALE PLACE

SANTA MARIA CA 93454

Telephone Number: (805)928-9308

New Address & phone
10189 Payette Heights
Payette, ID 83661
(208) 642-9238

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-10-2001

SIGNATURE:

Henry M. Filipponi

Please print your name:

Henry M. Filipponi

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

03/07/2001

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

RIGHT NUMBER: 65-2490
NAME AND ADDRESS: HENRY M FILIPPONI
1376 YALE PLACE
SANTA MARIA CA 93454

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.500 CFS
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-7284A SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE.

PRIORITY DATE: 01/27/1948

POINT OF DIVERSION:

T09N R05W S25 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.500 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County

T09N R05W S25	SWSW	20.0	T09N R05W S25	SESW	2.0
---------------	------	------	---------------	------	-----

22 ACRES TOTAL

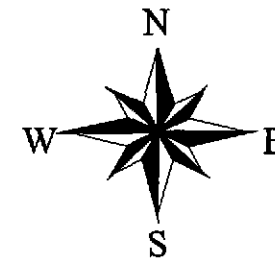
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▬ PLACE OF USE
- ▬ 1/4 1/4 LINES
- ▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02490

OWNER(S): FILIPPONI

DATE: DECEMBER 15, 2000

By: Mel Schulte



AJ5809NP
No. A65-02490

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENRY M FILIPPONI 1376 YALE PLACE SANTA MARIA CA 93454 (805) 928-9308	01/27/1948	IRRIGATION	03-15 11-15	0.500 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.500 CFS	77.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R05W S25

SWSW

PAYETTE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N	05W 25	:		:		:		:		:		:		:		:		10.0
09N	05W 26	:		:		:		:		:		:		:		:		12.0
																		22.0
TOTAL ACRES																		22.0

POU County: PAYETTE

Other Rights: A65-07284

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 08/31/90 GIBSON 03/30/95 POST-STD

Recommended as decreed in the PRBA - a transfer should be filed to reflect changes in POU made after Mr. Filipponi purchased the property in 1990 or proof is need for accomplished transfer prior to 1987

QNT - limited to .02 cfs & 4.5 AFA with 05-7284A

WR5809NP
No. 65-02490

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/11/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH CONDUCT RT. 1 BOX 44 PAYETTE ID 83661	01/27/1948	IRRIGATION	03/15 11/15	0.500 CFS	
TOTAL DIVERSION:					0.500 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R05W S25

SWSW

PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
09N	05W	25	:					:					:			20	02	:					:	22.0
TOTAL ACRES																							22.0	

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-07284A 65-07284B 65-13298

Dates:	App. Received:	Priority Date:	01/27/1948
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 317

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-5444	ELLIOTT, GLENN E. & ELLIOTT, HILDA D. ROUTE 1 BOX 328, PAYETTE, IDAHO 83661	1/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S27 T 9N R 5W	NESE S27 T 9N R 5W	BENEFICIAL USE
65-4165	HANSEN, EARL I. & HANSEN, ETHEL J. ROUTE 1, BOX 2A, PAYETTE, IDAHO 83661 REMARKS: BLOCK 13, NORTH PAYETTE.	1/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S27 T 9N R 5W	SWNW S27 T 9N R 5W	BENEFICIAL USE
65-9789	SMITH, NOEL DONNELLY, IDAHO 83615	1/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSW S22 T 16N R 3E	NWSW S22 T 16N R 3E	BENEFICIAL USE
65-4154	WOOD, D. E. ROUTE 1, BOX 244, FRUITLAND, IDAHO 83619	1/ 1/1948	DOMESTIC	1/ 1 12/31	14.40 AFA .24 CFS	SWNW S 2 T 7N R 5W	SWNW S 2 T 7N R 5W	BENEFICIAL USE
65-2490	CONDUCT, KENNETH ROUTE 1, BOX 44, PAYETTE, IDAHO 83661	1/27/1948	IRRIGATION	3/15 11/15	— AFA .50 CFS	SWSW S25 T 9N R 5W	SWSW(20) S25(2) S25 T 9N R 5W *22*	LICENSE
65-2491	MYERS, RAY ROUTE 1 BOX 265, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7178 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	2/19/1948	IRRIGATION	3/15 11/15	— AFA .31 CFS	NWNW S24 T 9N R 5W	NWNW(23) SWNW(10) S24 T 9N R 5W *33*	LICENSE
65-1319	BINGHAM, LENORE C. & BINGHAM, MICHAEL R. 206 SOUTH JOHNS AVENUE, EMMETT, IDAHO 83617 REMARKS: LOT 39, HOPKINS TRACT.	3/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S 8 T 6N R 1W	SWNW S 8 T 6N R 1W	BENEFICIAL USE
65-1417	LARSEN, ALVIN R. & LARSEN, MARY A. ROUTE 3, BOX 142, EMMETT, IDAHO 83617	3/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSW S 4 T 6N R 1W	NWSW S 4 T 6N R 1W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *1.60*AFA *.04*CFS		SAKE AS OTHER USE	
65-1213	POOLE, DEAN A. & POOLE, GAIL ROUTE 1, BOX 39, EMMETT, IDAHO 83617	3/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S20 T 6N R 1W	NWNW S20 T 6N R 1W	BENEFICIAL USE

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-02490 Date: 1-18-09

Overlapping POU Claim #'s: 65-7284 A

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	25											8	2					10
GIS														33	29					
Decreed	9N	5W	25											20	2					
Claim	9N	5W	26																12	12
GIS																			38	
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 213, 214, 218

POD_ID #(s): 164

Total Claimed Acres: 22

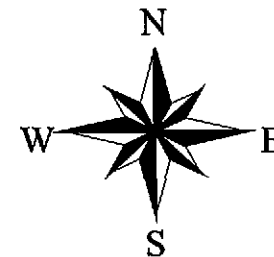
Total GIS Acres:

COMMENTS:

There is no map showing location of original well on SEC. 25 for this claim. Documentation says the the 4ac. parcel (65-67284B) was originally irrigated with the same well as these acres but now that claim show a new well. Anyway, the well for this claim is randomly placed.

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▬ PLACE OF USE
- ▬ 1/4 1/4 LINES
- ▬ SECTION LINES

6 ACRES

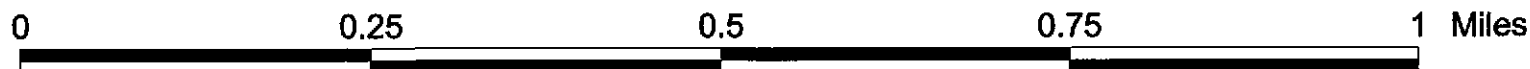
6 SECTION NUMBERS

CLAIM(S): 65-02490

OWNER(S): FILIPPONI

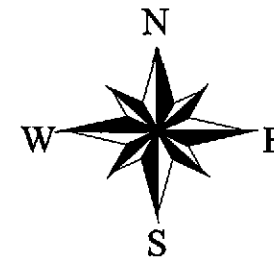
DATE: DECEMBER 15, 2000

By: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S25



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

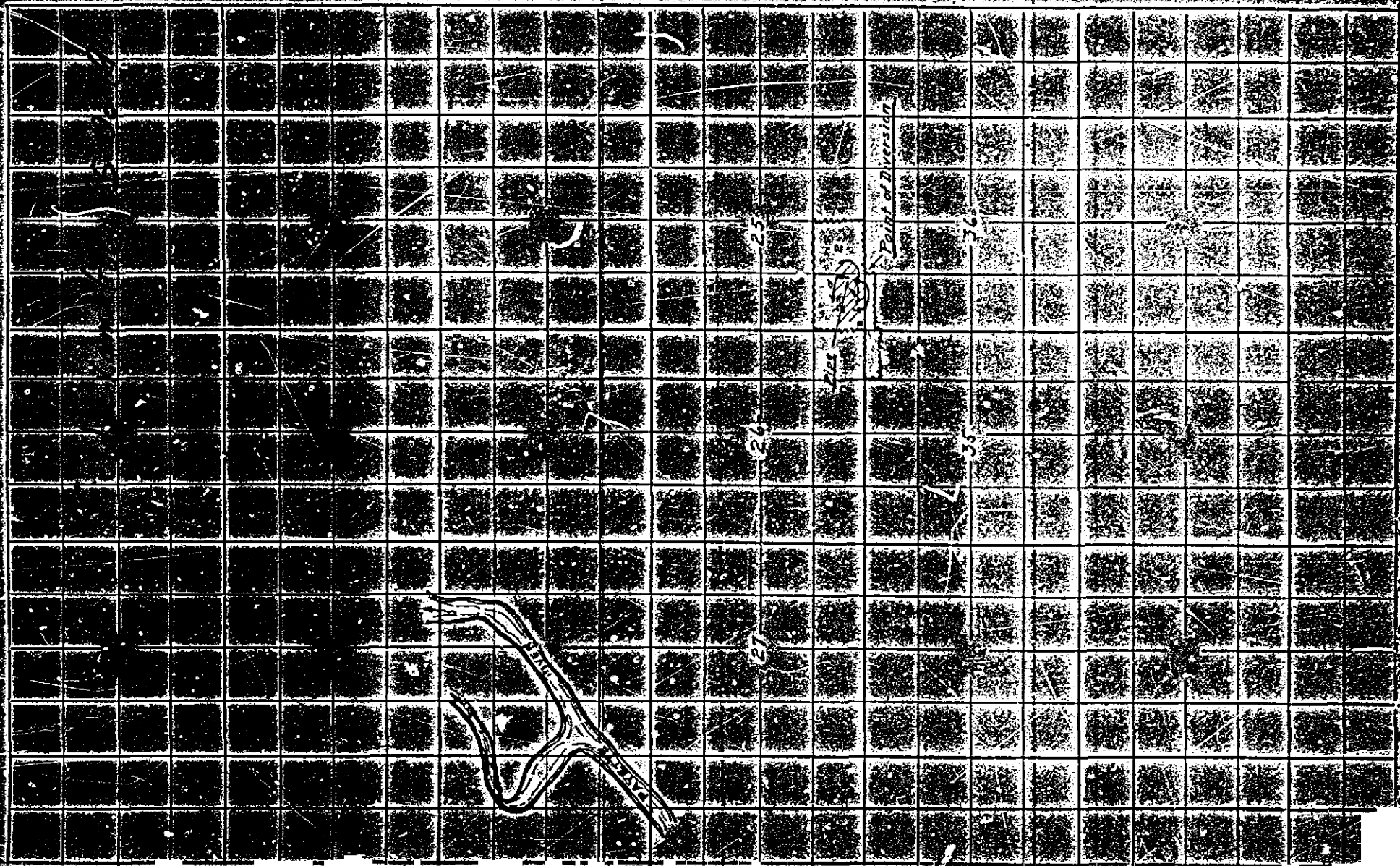
CLAIM(S): 65-02490

OWNER(S): FILIPPONI

DATE: DECEMBER 15, 2000

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles



2220

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

TO A

WATER RIGHT

65-2490

65-1999

RECEIVED
MAY 19 1977

KENNETH CONDUCT

(PER ASSIGNMENT IN FILE 65-7284)

Notice is hereby given that

P. W. Shepard and Bernita Shepard
Box 44, Payette, Idaho 83661

Department of Water Administration
claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) June 27, 1948

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Payette River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

Use Irrigation 0.5 Period of Use From March 1 To May 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

Use Domestic, irrigation, stock, etc. Period of Use From March 1 To May 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

Use Domestic, irrigation, stock, etc. Period of Use From March 1 To May 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

(4) Quantity of water claimed: 0.5 Cubic Feet Per Second, or 50 Acre Feet Per Annum, and/or 50 Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 Sec 25 Twp 9N Rge 5W B.M.; additional points: SW 1/4

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible.

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
	9N	5W	25																25
																			22

Total No. of acres 25 22

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into:

(8) If you are claiming water as a member of an organization, list name of organization:

(9) Remarks This is a water claim of 65-7284 shall be made

more than 0.5 cfs/A and 4.5 AF/A/yr. NOTE THAT THESE ACRES ARE TAKEN IN ADD TO THOSE IN 7284

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. 20273/65-2490

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

May 19, 1977

(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

County of Payette

On this 19th day of May, in the year 1977, before me

a notary public, personally appeared P. W. Shepard
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or he) executed the same.

Notary Public residing at Payette, Idaho

My commission expires February 8, 1973

wd 3 1/31/77

347-2341

PROSPECTIVE

(EXAM ATTACHED)

CLAIMANT'S NAME:

Brad Rayce

BUTLER OF PORTLAND

DATE: 6-22-92

OF ABUSE RIGHTS

EMPLOYEE:

Jan Shurte

RE:

Question concerning whether water rights listed above ~~are~~ ^{well} appurtenant to the acres (approx. 5) surrounding the old homestead in the SW¹/₄SW¹/₄, T.2S., R.2E., Twp. 9N., Rge 5W.

Mr. Rayce phoned concerning whether the above water rights were still appurtenant to the 5 acres in question. He stated that the couple living in the home now haven't irrigated because the wells were on the other property purchased by Filipponi. In checking the field exam completed for ALOS-02490 in 1948 indicates 23 acres irrigated in the south portion of the SW¹/₄SW¹/₄, T.2S. Then in 1981 a field exam was conducted and aerial photo shows irrigation around the home. Then, the Orthophotograph dated shows irrigation around home and the 1987 NAAPP photo also shows it. When the adj. claims were orig. filed in February 1990 the orig. owner filed them as they were licensed. Then, the new owner, Henry Filipponi filed amended claims after he purchased the property in Aug., 1990, and changed some acres, especially those in the SW¹/₄SW¹/₄, T.2S. From all of our records it appears that the acreage surrounding the old home was

MICROFILMED

SEP 18 1992

can give on a portion of these two rights
along with a transfer to add a 2d as
he wants to drill his own well. The juggling
of acres by Mr. Ellipson should be considered
as juggling of only his own acres. The
area around the home has been irrigated
& appears to be a split of 640 acs. Mr.
Hayce will be contacting us next week
to file his split of these rights.

MICROFILMED

SEP 18 1992

CONVERSATION MEMORANDUM

DATE 11/13/90

FILE _____

NAME OF PARTY Monica FilippiniEMPLOYEE Steve LesterRE: Called in response to my 10/26/90 letter:Business phone to contact = 805-922-9739.Wells are tied together but not sure when
will check records for SRBA claims A65-
07284 ; A65-0249uStock use = same as irrigation.OK to adjust appl. to show 41 acres as
explained in letter.

MICROFILMED

SEP 18 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 26, 1990

Mr. Henry M. Filipponi
1376 Yale Place
Santa Maria, CA. 93454

RE: Application for Permit

65-13298

Dear Mr. Filipponi:

Your recent application for permit for two irrigation wells and 65 acres requires revision before advertising and further processing occur. The two wells may be included for the same acres if the wells are tied into a common system. If not, separate applications for each well and the acres served by that well are required. Are the wells joined in a common delivery system?

Regarding the existing irrigation rights, one for each well, and the adjudication claims filed to retain the rights, you may need to amend the claims based on the answer to the above question. Decreed right 65-02490 includes the Sec. 25 well for 22 acres in Sec. 25. Adjudication claim A65-02490 was filed to include that well for 22 acres in Sec. 25 (10 acres) and Sec. 26 (12 acres). The claim describes a change in the place of use compared to the decreed right. Licensed right 65-07284 concerns the Sec. 26 well for 60 acres in Sec. 25 (36 acres) and Sec. 26 (24 acres). Adjudication claim A65-07284 indicates the Sec. 26 well for 60 acres in Sec. 25 (24 acres) and Sec. 26 (36 acres). This claim also describes a change in place of use by switching the acres per quarter-quarter. If the wells are part of a common system and each supplied water to all of the acres prior to the adjudication commencement on 11/19/87, the claims A65-02490 and A65-07284 should be amended to include both wells on each claim. Let me know if this is the correct interpretation and I will prepare amended claims for your signature.

Turning to the new application again, an analysis of the water right records shows that existing rights provide the maximum rate and volume of irrigation water from the wells for all of the land in Sec. 26 SESE, 32 of the 35 irrigatable acres in Sec. 25 SWSW, and 2 acres in Sec. 25 SESW. Therefore, 3 acres in the SWSW (35-32) and 38 acres in the SESW (40-2) are eligible for a new right from the wells. The application should include 41 acres with a maximum 0.82 cfs irrigation rate (41 x 0.02 cfs) plus 0.02 cfs stockwater for 0.84 cfs total. Will the stockwater use occur throughout the acres or in a particular place? If the latter is correct, please identify the stockwater use site (SWSW or SESW).

To summarize, are the wells part of a common system and, if so, did this occur before 11/19/87? Where does the stockwater use occur? The application should be reduced to 41 acres plus stockwater for 0.84 cfs total, which means that a \$20 refund is due. After the revision, the 120 acre area in Sec. 25 and 26 will have the following coverage: 22 acres from decreed right 65-02490, 60 acres via license 65-07284, and 41 acres in the new application. Due to overlapping acres in the decree and license, 22 plus 60 plus 41 exceeds the actual number of irrigated acres.

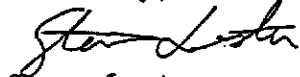
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Based on your response within 30 days, I will prepare a refund and revise your application. Feel free to contact me for more information.

Sincerely,



Steve Lester
Sr. Water Resource Agent

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