

RECEIVED

MAY 07 2010

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

Indent. Number 72-16788

Date Received

Receipt Number

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 31 2008

Clerk

Deputy Clerk

Please type or print clearly

1. Name of Claimant(s) Three G Company Phone (412) 261-8902
Mailing Address C/O Robert Y. Kopf Jr., Smithfield Trust Co., 20 Stanwix St., Suite 650, Pittsburgh, PA Zip 15222

2. Date of Priority only (1) per claim) May 1, 1936

3. Source of water supply (a) Salmon River, East Fork

which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 9N Range 17E Section 22,
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ SE $\frac{1}{4}$, Govt. Lot, B.M., County of Custer (aka EF-18A)

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____

_____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, etc.).
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. There is one (1) diversion works covered by this claim,
designated as EF-18A. The diversion has a headgate in the East Fork of the Salmon River, and diverts water into
a ditch that has a fish screen installed by the Idaho Department of Fish and Game. The diversion is described in
greater detail in the Affidavit of Robert Y. Kopf Jr. in Support of Motion to File Late Notice of Claim.

6. Water is claimed for the following purposes:
(both dates are inclusive) (cfs) (acre feet)

For Irrigation (conveyance loss) purposes from 4/1 to 10/31 amount 4.68 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

Last Name Three G Company Ident. Number 72-16788

Form No. 42-1409 (2) a 9/88 (Internet)

7. Total quantity claimed (a) 4.68 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses; describe fully (e.g. Domestic: Give number of households served; Stockwater Type and number of livestock etc.) This water right is for conveyance losses in conveying water from the point of diversion to the place of use. There is no consumptive use associated with this claim.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	17E	15															0.1		0.1
9N	17E	22		11	12											4.1			27.1

Total number of acres irrigated 27.2

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

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

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

_____ or None ()

14. Remarks:

The maximum combined diversion for irrigation and conveyance loss at each point of diversion under the claimant's water rights is limited as follows (see **Exhibit A**):

EF-18A: this claim, 72-232B 5.90 cfs

Last Name Three G Company Ident. Number 72-16788

Last Name Three G Company Ident. Number 72-16788

Form No. 42-1409 (2) a 9/88 (Internet)

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments

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

Signature or Claimant (s) Robert V. Kappeler Date 10-24-08

Date _____

For Organizations: I do solemnly swear or affirm that I am the Managing Partner

Title
of Three G Company Organization, that I have signed the foregoing
document in the space below as the Managing Partner of Three G Company

Title Organization

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

Signature of Authorized Agent Robert V. Kappeler
Title and Organization Managing Partner, Three G Company Date 10-22-08

State of Idaho/or Pennsylvania)
County of Allegheny) SS.

Subscribed and sworn (or affirmed) before me this 29th day of OCTOBER 2008

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Rose Marie Scheid, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires April 26, 2012
Member, Pennsylvania Association of Notaries

Notary Public Rose Marie Scheid
Residing at PITTSBURGH PA
My Commission Expires 04-26-2012

16. Notice of Appearance:

Notice is hereby given that I, Daniel V. Steenson will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Daniel Steenson

Address P.O. Box 2773, Boise, Idaho 83701

Date 10-30-08

Last Name Three G Company Ident. Number 72-16788

Three G Co. EF-18A Water Right, Claim & Measurements

East Fork Salmon River

EF-18A conveyance loss total:

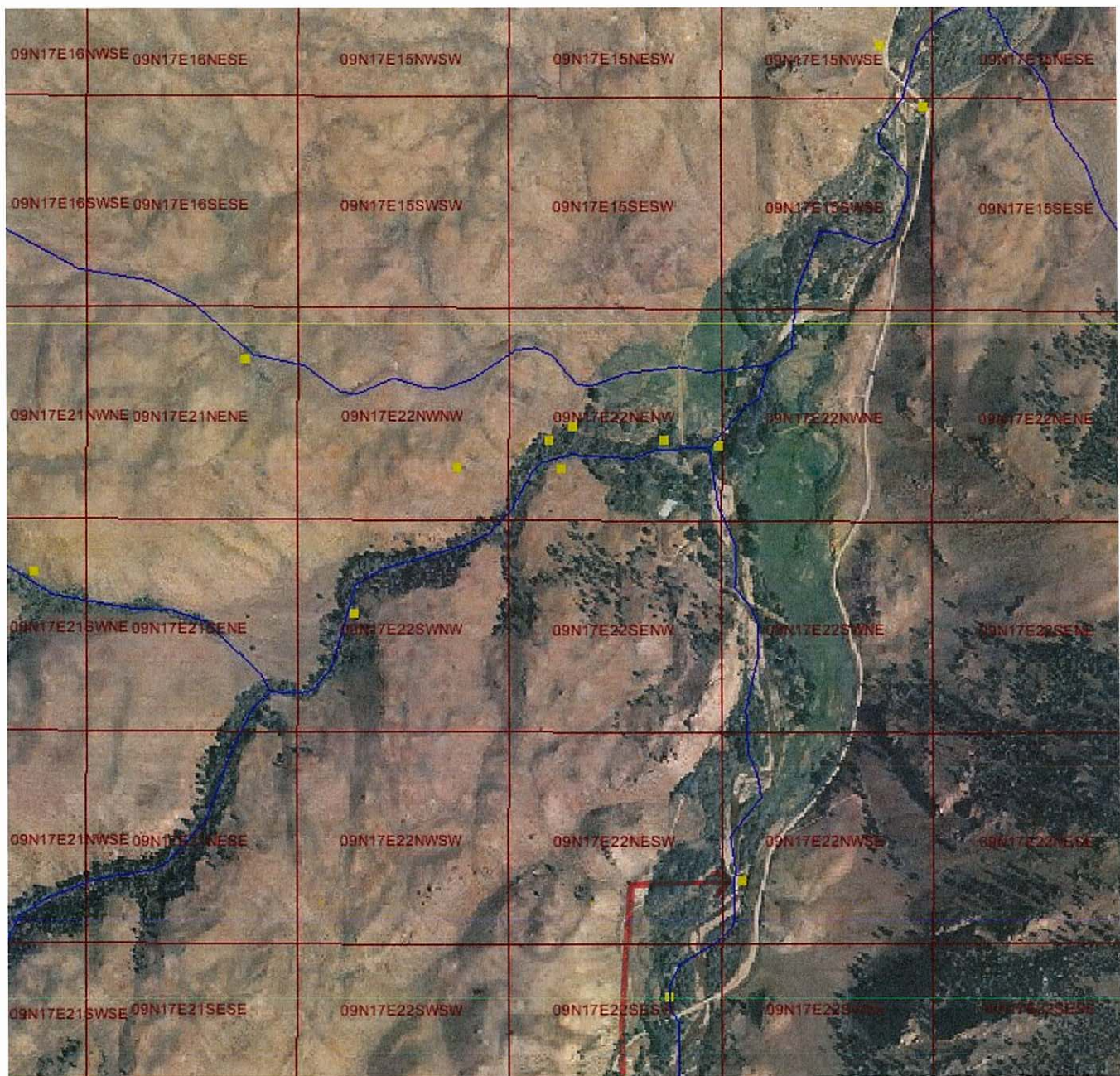
$$5.90 \text{ cfs (BOR)} - 1.22 \text{ cfs} = 4.68 \text{ cfs}$$

<u>Decree</u>	<u>Rate</u>		<u>Conveyance</u>		<u>Total</u>
72-00232B	1.22 cfs	+	4.68 cfs	=	5.90 cfs

Ditch Measurements

<u>IDFG</u>	<u>BOR</u>
4.80 cfs	5.90 cfs

Exhibit A

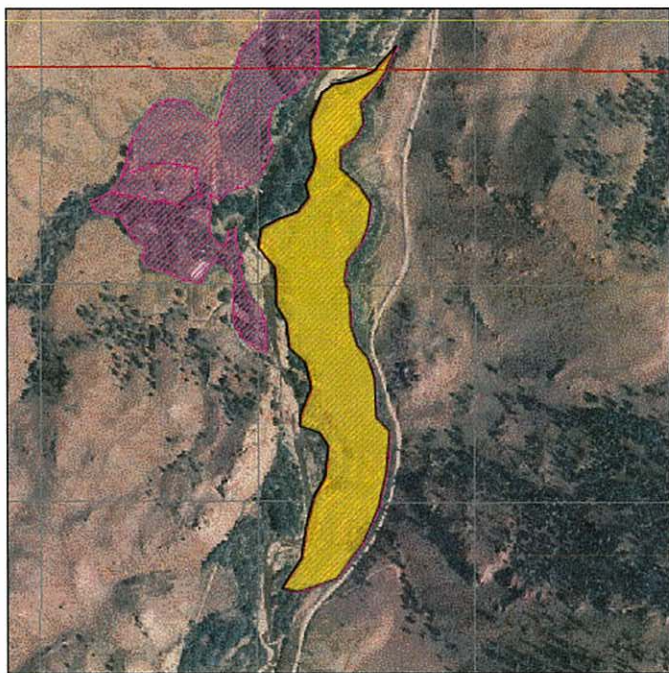


POD

Exhibit B

Idaho Department of Water Resources

Irrigation District and Water Rights Finder

[Home](#)
[IDWR Home](#)
[Other Maps](#)
[Water Right Search](#)
[Contact Us](#)
[Help](#)


POU

Water Right #	Owner	Action
72-232B	THREE G CO	Select Details

[Clear Search Results](#)

Map Tools

Display Layers

- ☒ PLS
- ☒ Water Rights
- ☐ Recommendations
- ☐ Irrigation Company

Map Background

- ☐ No Background
- ☐ USGS Quadrangle
- ☒ Aerial Photo

Legend [\(Hide\)](#)

Search By Address

Address

City

[Find Address](#)

Search By Parcel Number

PIN

County

Choose A County

If a county is missing from the list then we do not have its parcel information

[Find PIN](#)

Search By PLSS

Township

9

☒ North

☐ South

Range

17

☒ East ☐ West

Section

22

Quarter-Quarter

NWSE

[Find Township](#)

Previous Queries

No Previous Queries