

07/05/2005

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

RIGHT NUMBER: 78-223A
NAME AND ADDRESS: LE ANN S HIGGINS
PO BOX 291
NEW MEADOWS ID 83654
ERIC S HIGGINS
PO BOX 291
NEW MEADOWS ID 83654

SOURCE: WEST BRANCH GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER
QUANTITY: 0.015 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1878

POINT OF DIVERSION:
T19N R02E S29 SENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	04/01 10/31	0.015 CFS
Domestic use is for lawn irrigation.		

PLACE OF USE: DOMESTIC Within ADAMS County
T19N R02E S29 NWNW

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: Decreed

Place of use is Lots 7-10, Blk. 3; Meadows Townsite
Water is delivered through the Cal White Canal.

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: **A78-00223A**
Date Received: 5/27/1988
Receipt No: M000036
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ERIC S HIGGINS 208-347-2394
Address: PO BOX 291
NEW MEADOWS ID 83654
AND/OR
Name: LE ANN S HIGGINS 208-347-2394
Address: PO BOX 291
NEW MEADOWS ID 83654
2. Date of Priority: MAY 1, 1878
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	29	NE	SE	NE		ADAMS
5. Description of diverting works:
HEADGATE AND FLOOD IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	04/15	10/15	0.030		
7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	29	NW	NW		DOMEST	0.4
Section Acres							0.4
Total Acres							0.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS WATER COVERS LOTS 7,8,9,10 OF BLK 3
OWNERSHIP CHANGE BY DB 1/21/98.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 12 1997
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A78-00223A
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Charles R. Vipperman
P.O. Box 181, New Meadows, Idaho 83654

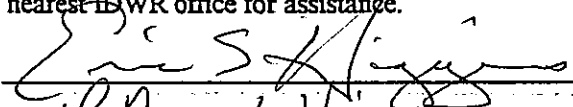
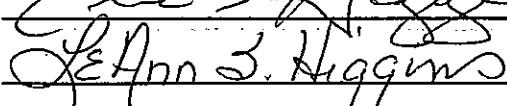
4. New Owner/Claimant(s) Eric S. Higgins and LeAnn S. Higgins
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 291
City, State and ZIP Code New Meadows, Idaho 83654
New Telephone Number (208) 347 - 2394

5. Date you acquired the property 9/3/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres actually irrigated _____ Number and type of stock _____

 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)  Date 9/3/97
 Date 9/3/97

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

For Value Received, CHARLES R. VIPPERMAN and MELANIE A. VIPPERMAN, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto ERIC S. HIGGINS and LeANN S. HIGGINS, husband and wife the grantees, whose current address is P.O. Box 291, New Meadows, Idaho 83654 the following described premises, in Adams County, Idaho, to-wit:

Lots 7, 8, 9 and 10, Block 3, Meadows Original Townsite, Adams County, Idaho, as said lots and block are designated on the official plat thereof on file in Book 1 Plats page 15 in the office of the Adams County Recorder.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

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

Date: September 3, 1997

Charles R. Vipperman
Charles R. Vipperman

Melanie A. Vipperman
Melanie A. Vipperman

STATE OF IDAHO)
COUNTY OF ADAMS) SS

On this 3 day of Sept. in the year of 1997, before me a Notary Public, personally appeared CHARLES R. VIPPERMAN & MELANIE A. VIPPERMAN known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Michael Fisk
Notary Public
Residing at New Meadows
Commission expires 11 2 99

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 17 minutes past 3 o'clock P.M.
this 3 day of Sept. 19 97, in my

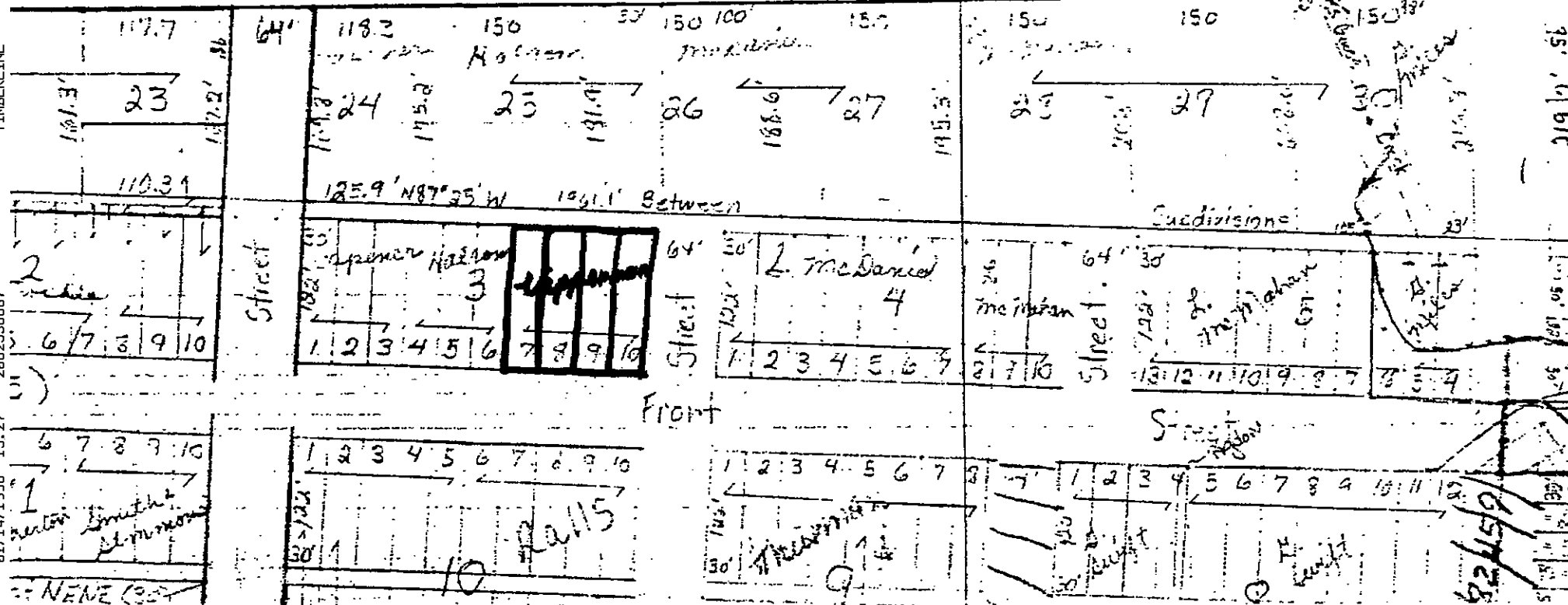
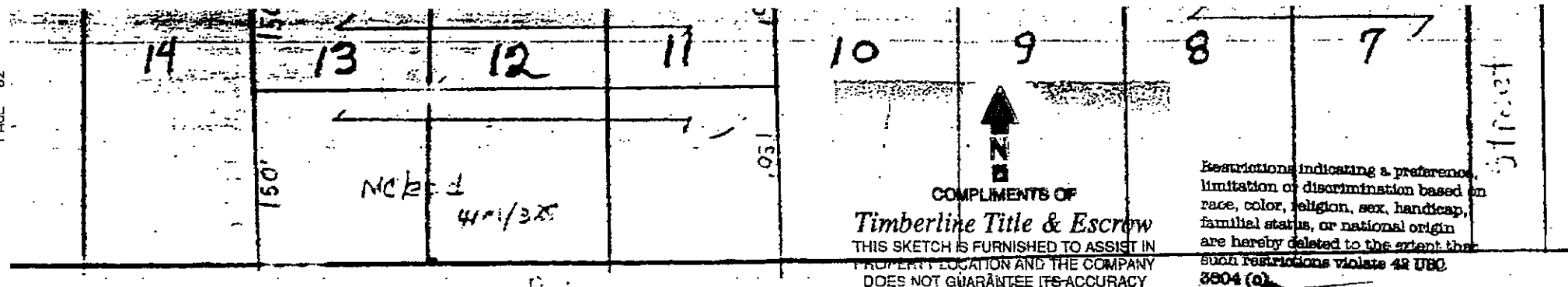
office, and duly recorded in Book
of Deeds at page

MICHAEL FISK
Ex-Officio Recorder

By: Leahy Linkel
Deputy

Fees \$3.00
Mail to: Timberline Title & Escrow





19N 2E S-29 NW NW

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

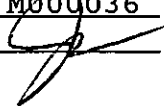
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-00223A

Date Received: 5/27/1988

Receipt No: M000036

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES R VIPPERMAN 208-347-2108
Address: PO BOX 181
NEW MEADOWS ID 83654

2. Date of Priority: MAY 1, 1878

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	29	NE	SE	NE		ADAMS

5. Description of diverting works:
HEADGATE AND FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	04/15	10/15	0.030		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	02E	29	NW	NW		DOMEST	0.4

Section Acres 0.4

MICROFILMED

10. Place of Use: Continued

Total Acres 0.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS WATER COVERS LOTS 7,8,9,10 OF BLK 3

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

ADJUDICATION MEMORANDUM

CLAIM NO: Jan Thurtel
EMPLOYEE: A78-00223ASUBJECT: Number Change
DATE: 7-13-95

This claim # has been changed to A78-00223A due to another claim being created to be filed on this existing water right. The conflicting claim has been given number A78-00223B. The split is to reflect the two claims filed on the same right.

MICROFILMED

OCT 22 1996

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

NUMBER CHANGE TO: A78-00223A

Ident. Number: ~~A78-00223~~
Date Received: 5/27/1988
Receipt No: M000036

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES R. VIPPERMAN 208-347-2108
Address: P.O. BOX 181
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1878

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	29	NW	NW		DOMEST	0.4

Section Acres 0.4

Total Acres 0.4

A78-00223

Page 1

Date: 05/27/88

MICROFILMED

OCT 05 1992

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS WATER COVERS LOTS 7,8,9,10 OF BLK 3

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

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

Number of attachments: 1

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): Charles Vipperman Date: 5-27-88

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of May 19 88 Carter Fritschle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

T. 18 N.





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 21, 1998

Re: Notice of Claim to a Water Right No. A78-00223A

ERIC S HIGGINS
LE ANN S HIGGINS
PO BOX 291
NEW MEADOWS ID 83654

Dear Mr. & Mrs. Higgins:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure