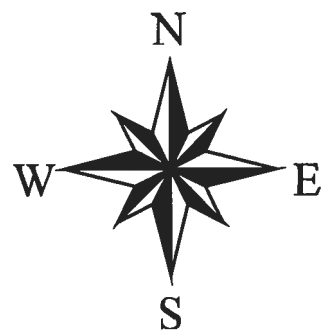


78-7183



T21N R01E S02

Map prepared by: Carter Fritschle
Date prepared: 11/14/05
2004 NAIP Photography
Idaho Department of Water Resources



11/14/2005

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

RIGHT NUMBER: 78-7183

NAME AND ADDRESS: DARLENE CAPPS
703 WARNER
LEWISTON ID 83501

GENE CAPPS
703 WARNER
LEWISTON ID 83501

SOURCE: TRAIL CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.030 CFS
3.000 AFY

PRIORITY DATE: 09/14/1981

POINT OF DIVERSION:

T21N R01E S2 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	1/01 12/31	1.00 AFY
DIVERSION TO STORAGE	1/01 12/31	0.030 CFS
IRRIGATION	4/01 10/15	0.030 CFS 3.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADAMS County

T21N R01E S02 NESW 1.0

RECREATION STORAGE Within ADAMS County

T21N R01E S02 SESW

1 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 - License

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

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DEC 17 1986

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of NOVEMBER, 19 86.

Acting for the Director

Norman C. Young

Capp, Gene C/Os Barlowe
1/0: 12345, Sec. 2, T21N, R1E
Sec. 16 of 16 irrigation
.16 of 16 diversion to stor.
1 FT stor. for recreation

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

70-7183

Permit No.

CONTACT WITH PERMIT HOLDER

RECEIVED
SEP 5 1984
Department of Water Resources

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	1/3/83	jp	no appointment made
☐ Telephone call made: (List Telephone No. used)	8/25/82	JG	743-0920
☐ Appointment scheduled for: (Date, time, location)	8/31/82	JG	BETWEEN HAZARD CR + ELK CR JUST OFF HWY 55.

EXAMINATION

Date 8/31/82 Accompanied by GENE CAPPS Total Q measured 0.03 CFS ✓
If source is surface water, estimate total flow of source _____
Methods of measurement GALLON JUG & STOPWATCH Meets Permit requirements? OK

Measurement calculations:

$12 \text{ GPM} \div 448.8 = 0.03 \text{ CFS}$ ✓
ACFT FOR POND - $150' \times 200' \times 8' = 240,000 \text{ SF}$: $43,560 = 5.5 \text{ AF}$ ✓
ALLOW 1.0 AF PER PERMIT ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
		GRAVITY FLOW						

System Description WOODEN FLUME BOX W/SCREEN INTO GRAVEL PACKED AREA WITH APPROX. 4' HIGH DAM; 4" PIPELINE FROM POOLED AREA DOWN APPROX. 100' TO HOSE FOR SPRINKLING AROUND TRAILOR (FIRE FIGHT. MAINLY) + TO POND WHICH
*Code with map on reverse side. Disregard code if only one. MEASURES 150' x 200' x 8'.

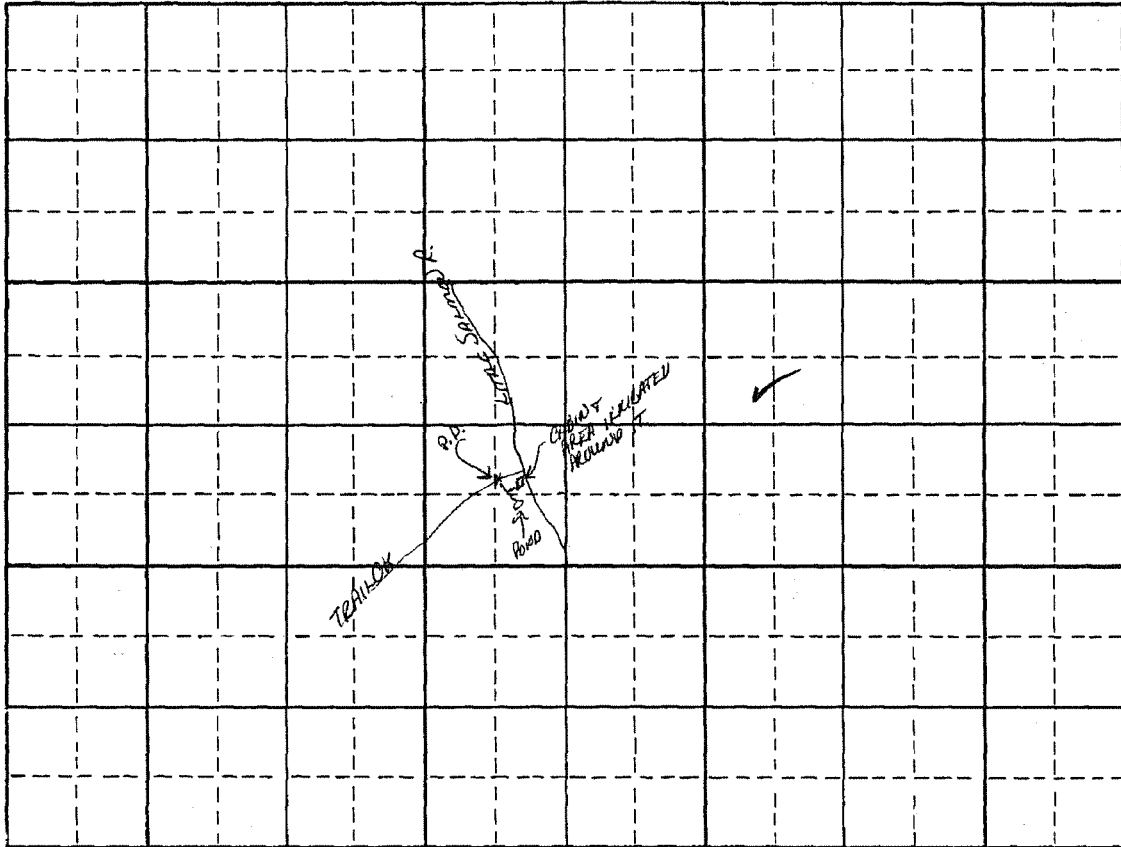
RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION - 1 AC.	0.03 ✓	3.0 AF ✓	5/1	12/31
DIVERSION TO STORAGE	0.03 ✓	N/A	1/1	12/31
STORAGE FOR RECREATION	N/A	1.0 AF ✓	1/1	12/31
Total	0.03 ✓	3.0 AF ✓		

Irrigation requirement = 3.0 AFA/Acre
4/5 FROM 10/5 TO 12/31
per rules & regs.

Remarks

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4, SEC. 2, TWP. 21N, RGE. 1E, B.M.

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
21N	1E	2									✓			✓					1 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☐ Other

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DEUTERON

Examiner's Signature

Checked by

Approved by

Jan Grover
Kay A. Baker

Date

Date

ite

11/30/83
6/31/84
10-7-86

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

RECEIVED
JUN 14 1993

Ident. Number: A78-07183

Date Received: 5/28/1993

Receipt No: 4616385

Received By: [Signature] LATE FEE PD.
7 RES. FEE
(FEE REQ. FILED)

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GENE CAPPS
Address: 703 WARNER
LEWISTON ID

83501

Name: DARLENE CAPPS
Address: 703 WARNER
LEWISTON ID

83501

2. Date of Priority: SEP 14, 1981

3. Source: TRAIL CREEK

Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	01E	2	NE	SW			ADAMS

5. Description of diverting works:
DITCH & PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			1.00
IRRIGATION	04/01	10/15	0.030		3.00
DIVERSION TO STORAGE	01/01	12/31	0.030		

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

3.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

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AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	01E	2	NE	SW	IRR	1.0
			SE	SW	REC S	

Section Acres 1.0

Total Acres 1.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

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): Steve G. Capps Date: June 9, 1993
Darlene L. Capps Date: June 9, 1993

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AUG 08 1994

State of Idaho)
County of Ney Perce) SS.

Subscribed and sworn (or affirmed) before me this 9TH day

of June 19 93

Donald G. Esile
Notary Public

Seal

Residing at Lewiston

My Commission Expires June 1994

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AUG 08 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

May 28, 1993

R. KEITH HIGGINSON
DIRECTOR

DARLENE OR GENE CAPPS
703 WARNER
LEWISTON ID 83501

W016385
A78-07183

Dear Ms. and Mr. Capps:

Enclosed are two copies of the Snake River Basin Adjudication (SRBA) claim which correspond to your existing water right license. Mr. Capps requested these claim forms from our Northern Region office, but since your property is within the administrative boundaries of the Western Region office, these claim forms were generated by this office.

Please review this claim, and if any information is not correct, please note the correct information on the form. You must sign the claim form, and have your signature notarized, before returning the claim to this office.

The filing fee for this claim is \$52, based on the flat \$50 fee for claims of this type, with an additional \$1 for 1 acre of irrigation and \$1 for the amount of storage water that is listed on the claim.

Your claim is also subject to a late fee, since you were notified of the SRBA in February of 1988, and did not file at that time. The late fee is \$50; the total fee for your claim is \$102.

If you have any questions regarding the information in this letter, please contact this office during our office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci'.

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m