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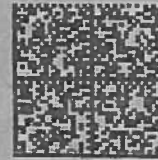
Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

 Rt. \$
Carr. Init. _____
Date _____

☐ Not Deliverable As Addressed
☒ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted-Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receptacle
☐ Box Closed-No Order
☐ Returned For Better Address
☐ Postage Due _____

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE

02 1A \$ 00.87⁰
0004389393 NOV 17 2006
MAILED FROM ZIP CODE 83702

RECEIVED
NOV 24 2006
DEPT. OF
WATER RESOURCES

78-4139 ✓
78-10349 P.O. (not on list)

BETTY B PENNINGTON

GENE C PENNINGTON
PO BOX 71
RIGGINS ID 83549

~~P.O.~~
PO Box 1128
Riggins, ID
83549

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

78-4139✓

FL # _____
To Carr. Inlt. _____
Date _____
☒ New/Reopening As Addressed
☐ Multiple Addressees
☐ No Post. Inlt. No Address
☐ Unclassified ☐ Unsorted
☐ Address Not Known
☐ No Such St. Inlt. Inlt. Inlt.
☐ Vicinity ☐ Inland
☐ No Mail Receipts
☐ Box Closed No Calls
☐ Returned For Better Address
☐ Postage Due _____

RECEIVED
JAN 10 2007
DEPARTMENT OF
WATER RESOURCES

GENE C PENNINGTON
BETTY B PENNINGTON
PO BOX 71
RIGGINS ID 83549

FIRST



02 1A
0004310839
JAN 05 2007
MAILED FROM ZIP CODE 83702

05/18/2005

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

RIGHT NUMBER: 78-4139

NAME AND ADDRESS: GENE C PENNINGTON
PO BOX 71
RIGGINS ID 83549

BETTY B PENNINGTON
PO BOX 71
RIGGINS ID 83549

SOURCE: PAPOOSE CREEK

TRIBUTARY: SQUAW CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 01/10/1971

POINT OF DIVERSION:

T24N R01W S24 SWSENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.120 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01W S24 SENE 4.0

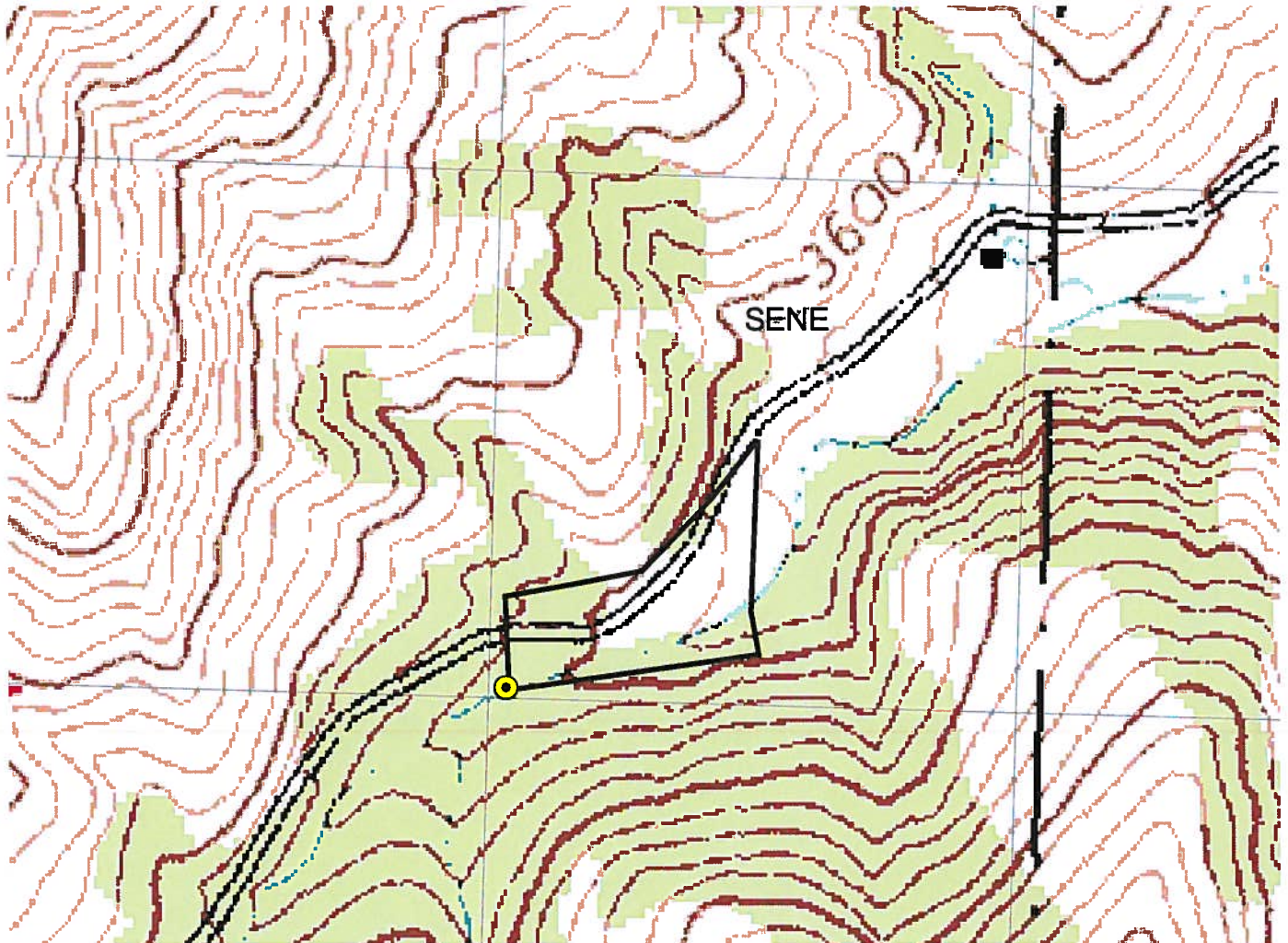
4 ACRES TOTAL

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: Beneficial Use

78-4139



0 300 600 Feet

Section 24
T24N R1W



-  Point of Diversion
-  Place of Use

Map prepared on May 18, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: 39356

Ident. Number A 78-04139Date Received 6-27-88Receipt Number C00/480

RECEIVED

JUN 27 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JUN 17 1988

Department of Water Resources ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) GENE C. & BETTY B. PENNINGTON Phone (208) 628-3593
Mailing Address P.O. Box # 71, RIGGINS, ID. Zip 83549
- Date of Priority (Only one (1) per claim) MAR 30, 1981 Jan 10, 1971 by MCB
- Source of water supply (a) PAPOOSE CREEK
which is tributary to (b) SQUAW CREEK
- a. Location of existing point of diversion is: Township 24 N Range 1 W Section 24,
SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of IDAHO
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.
ROCK DAM IN CREEK WITH PIPELINE, WITH GRAVITY DITCH IRRIGATION & SPRINKLER
IRRIGATION.

MICROFILMED
OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount .12 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
24N	1W	24				4													4

Total number of acres irrigated 4

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

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. _____ or None (☒)

14. Remarks:

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OCT 06 1992

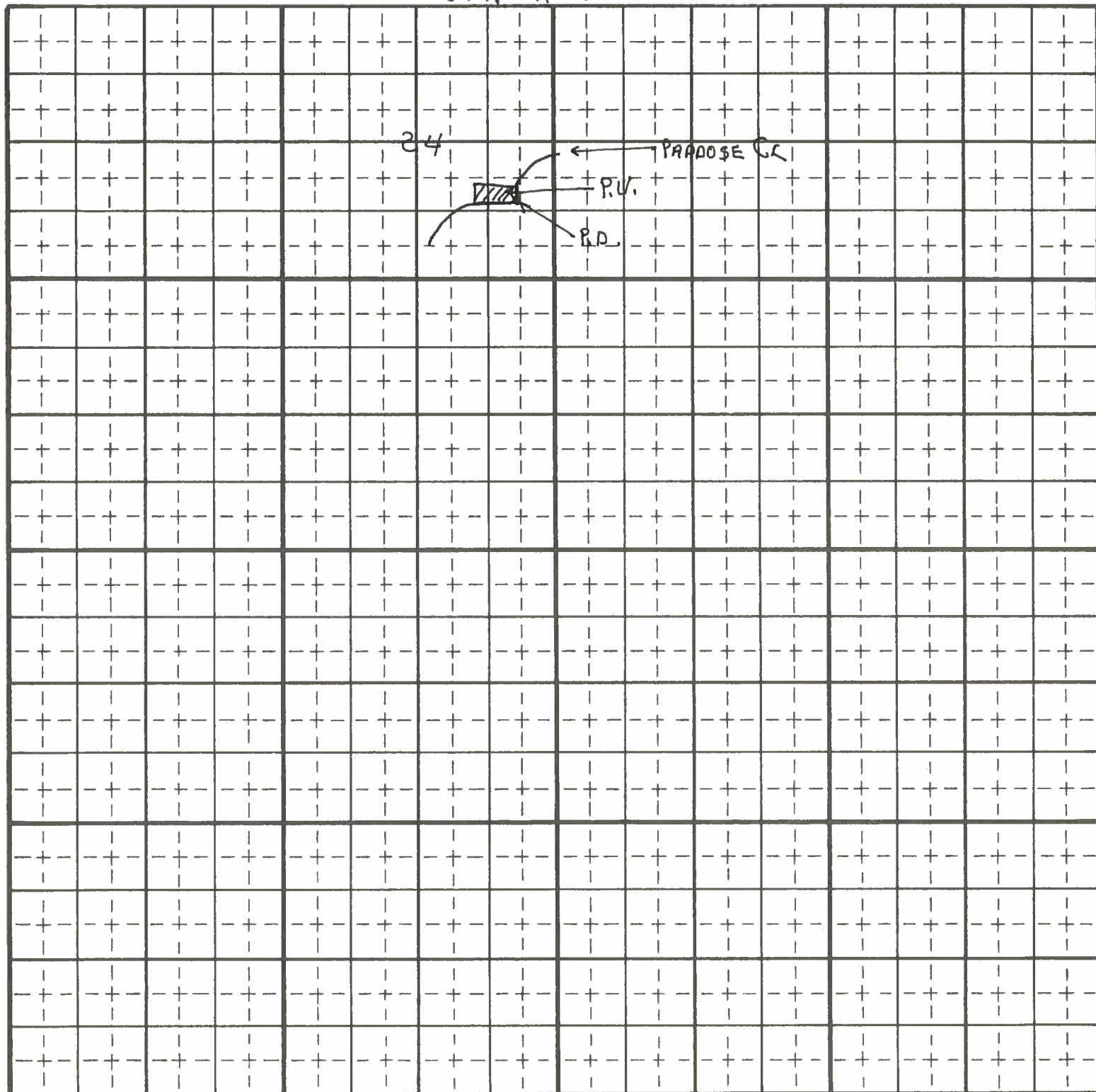
Last Name PENNINGTON Ident No. A20-04139

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T24N R1W



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OCT 06 1992

Last Name KENNINGTON

Ident No. 178-04139

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-4139
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x

Gene C. Pennington
Betty L. Pennington

Date

6/16/88

Date

6-16-88

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Idaho)

County of Idaho)

SS.

Subscribed and sworn (or affirmed) before me this 16 day of June 19 88

SEAL

Notary Public

Dalena C. Dill

Residing at

Riggins, Idaho

My Commission Expires

1-11-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that 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 _____

Address _____

Date _____

MICROFILMED

OCT 06 1992

Last Name PENNINGTON Ident. Number A78-04139

Copies White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 22, 1988

RECEIVED
JUN 27 1988

Mr. and Mrs. Gene C. Pennington
P. O. Box 71
Riggins, ID 83549

Department of Water Resources

Dear Mr. and Mrs. Pennington:

Your adjudication claim for diversion from Papoose Creek in Idaho County is returned. Your check #910 for \$104.00 has been receipted; \$25.00 applied to each domestic claim submitted and a \$54.00 overpayment to be returned to you.

There is a problem with the priority date on the claim form. The claim form lists a priority date of March 30, 1981. The statutory claim you list, A78-04139, has a priority date of January 10, 1971. The definition of a priority date is the date that the water was first placed to beneficial use to the best of your knowledge.

If the priority date is March 30, 1981, you may need to file an application for permit. Any water right developed from surface water after May 20, 1971, is required to have an application for permit filed. Normally, any claim for a diversion from a surface water source with a priority date after May 20, 1971, is disallowed and no water right decreed for the use claimed.

Please clarify this matter for us and return the claim form if appropriate. I have enclosed an application for permit, with instructions for your use in this matter, if needed. If you will return the completed application for permit forms to the Department of Water Resources - Western Regional Office, 2735 Airport Way, Boise, ID 83705, we will be happy to proceed.

If you have any further questions or require further help, please do not hesitate to contact this office.

Yours Truly,

[Signature]
Donald V. Shaff
Adjudication Section
Supervisor

MICROFILMED
OCT 06 1992

DVS:db
Enclosures

Sorry about the error. We were helped with the claim by one of your people. Hope you have not returned the \$54 yet.
Lethy L. Pennington