

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-12383 V1

WATER RIGHT NUMBER: 37-12383 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MID VALLEY VENTURES LLC PO BOX 2127 KETCHUM, ID 83340
Directors Report Owner	MARTHA POPPY PO BOX 1592 HAILEY, ID 83333 (208)788-3640
Directors Report Owner	JAMES H POPPY PO BOX 1592 HAILEY, ID 83333 (208)788-3640

Priority Date: 10/15/1982

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.020 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4SE1/4	Sec. 29, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29															X		

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29															X		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-12383 V1

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP000117000030A STOCKWATER, 10 HORSES

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 9, 2002

MID VALLEY VENTURES LLC
PO BOX 2127
KETCHUM ID 83340

Re: SRBA Claim(s) 37-521N, 37-522L, 37-7672A
Decreed Water Right 37-12383

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
DEC 28 2001
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
31-12383	A31-522C	—	_____	_____	—
_____	A31-1672	—	_____	_____	—
_____	A31-521D	—	_____	_____	—
_____	_____	—	_____	_____	—
_____	_____	—	_____	_____	—

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Deer Creek Investment

4. New Owner/Claimant(s)

X Affix

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 1944

City, State and ZIP Code

Sun Valley, Id.

New Telephone Number

208-726-5

5. Date you acquired the property

7/3/2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>[Signature]</u>	Date <u>11/8/02</u>	Fee <u>25.00</u>	
Received by <u>[Signature]</u>	Date <u>11/8/02</u>	Receipt No. <u>5024517</u>	
Processed by <u>[Signature]</u> AJ	Date _____	WR _____	Date _____

Order No. 28130

Instrument # 452699

HAILEY, BLAINE, IDAHO

2001-07-02 04:24:00 No. of Pages: 1

Recorded for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy
Index to WTY OC CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

DEER CREEK INVESTMENT COMPANY, LTD., a Texas Limited Partnership

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

MID VALLEY VENTURES, LLC, an Idaho Limited Liability Company

GRANTEE(s) whose address is: ~~PO BOX 1995, Sun Valley, ID 83353~~ P.O. BOX 2127, KETCHUM, ID 83340

the following described real property in Blaine County, Idaho, to wit:

Lot 2 of DEER VALLEY FARM, according to the official plat thereof, recorded as Instrument No. 382821, records of Blaine County, Idaho.

AND

Lot 7A of LITTLE ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 144391, records of Blaine County, Idaho.

TOGETHER WITH ANY AND ALL WATER AND WATER RIGHTS APPURTENANT THERETO

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 27, 2001

DEER CREEK INVESTMENT COMPANY, LTD.

BY: JAMES H. POPPY, MANAGING PARTNER

BY: MARTHA C. POPPY, MANAGING PARTNER

State of Idaho

}
}ss.
}

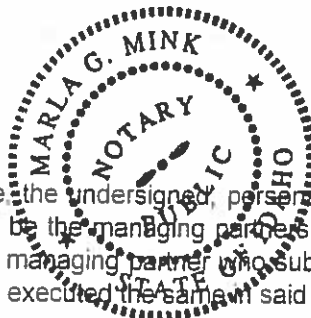
County of Blaine

On this 27TH day of JUNE, in the year 2001, before me, the undersigned, personally appeared JAMES H. POPPY and MARTHA C. POPPY@ known or identified to me to be the managing partners of DEER CREEK INVESTMENT COMPANY, LTD, a Texas Limited Partnership and the managing partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 12/01/2006



James Poppy
Box 1592
Hailey ID 83333

Dear Mr. Poppy

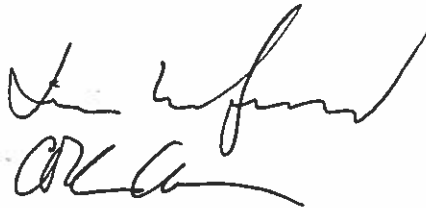
6/23/01

In accordance with our water rights agreement this letter is to inform you of our intention to reconfigure the delivery point of our surface water allotment. We intend to return the upper ditch to it's original location thereby delivering our water to the high ground of our property. This will result in better use of our water.

Please forward this letter on to any concerned parties.

Thank you,

Jim Liesenfeld
Colleen Crain



Water rights numbers A37-00521P, A37-00522M, A37-07672B

*Received & certified letter
10 AM Tuesday June 26, 2001
JHR*



July 3, 2001

IDWR Southern Region
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

RECEIVED
DEC 28 2001
Department of Water Resources
Southern Region

Re: Order No. 28130

Lot 2 of Deer Valley Farm and Lot 7A of Little Acres
Mid Valley Ventures /Deer Creek Investment Company, Ltd.

Dear Ladies and Gentlemen:

In connection with the order number mentioned above, please find attached our check no. 8006 in the amount of \$ 25.00 representing: Water Transfer Fee.

Also attached are copies/originals of the following document(s):

<u>X</u>	Quitclaim Deed.
<u>X</u>	Notice of Change in Water Right Ownership.

Thank you for using AmeriTitle and please remember to designate our company in your next title or escrow closing transaction.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

AMERITITLE

Angela W. Sewell
Escrow Assistant

aws

Attachment(s)

RIGHT NUMBER: 37-12383

NAME & ADDRESS: JAMES H POPPY
MARTHA POPPY
PO BOX 1592
HAILEY ID 83333

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 10/15/1982

POINT OF DIVERSION: T03N R18E S29 NESWE Within BLAINE County

PURPOSE AND PERIOD OF USE:		PERIOD OF USE		QUANTITY	
PURPOSE OF USE		01-01	12-31	0.02	CFS
STOCKWATER					
DOMESTIC 1 HOME		01-01	12-31	0.02	CFS

PLACE OF USE:	STOCKWATER	Within BLAINE County
	T03N R18E S29	SWSE
	DOMESTIC	Within BLAINE County
	T03N R18E S29	SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

PARCEL NO. RP000117000030A

STOCKWATER, 10 HORSES D & C RANCH SUB

Man proofread by: hkh

163

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
April 4, 1997 3:15pm

CUSTOMER
Poppy, James

SUBJECT: A37-00521D, -00522C, -07672, -12383, -13010, -08809

phone call (.) walk-in (X)

Came in to get updates on all the above claims. He also wanted to know how to split the rights up if property were split. I gave him profile reports of claims and change of ownership form.

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: A37-12383
Date Received: 12/20/1988
Receipt No: C004128
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES H. POPPY 208-788-3640
Address: P.O. BOX 1592
HAILEY, ID 83333

AND

Name: MARTHA POPPY 208-788-3640
Address: P.O. BOX 1592
HAILEY, ID 83333

2. Date of Priority: OCT 15, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	NE	SW	SE		BLAINE

5. Description of diverting works:
WELL, 12" DIAMETER, 156' DEEP, PUMP. ALSO SERVES DITCH SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/10 HORSES

A37-12383

Page 1

Date: 05/11/89

MICROFILMED

FEB 26 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	18E	29	NW		SE		DOMEST	
			NW		SE		STOCK	
			SW		SE		DOMEST	
			SW		SE		STOCK	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

MICROFILMED
FEB 26 1993

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

Identification No. A37-12383

Date Received

Receipt Number COO 4128

AMENDED NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

RECEIVED

MAY 04 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) James Poppy and Martha Poppy Phone (208) 788-3640

Mailing Address P. O. Box 1592, Hailey, Idaho Zip 83333

2. Date of Priority (Only one per claim) October 15, 1982 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 3N Range 18E

Section 29, NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.,

County of Blaine

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 12" diameter well, 156 feet with pump. Pump also serves ditch system on property under a separate irrigation right.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from Jan. 1 to Dec. 31 amount 0.02 (cfs)

(Both dates are inclusive)
For stockwater purposes from Jan. 1 to Dec. 31 amount 0.02

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household and up to 10 horses.

MICROFILMED

FEB 26 1993

10. Plačte "D" for domestic and "S" for stockwater use in the corresponding place of use below.

[illegible]

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

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

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree

If applicable provide IDWR Water Right Number 37-12383

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 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 document are true and correct.

Signature of Claimant (s) James K. Kohn Date May 2, 1989

James Poppy

Martha Hopp Date 5/21/89

Martha Poppy

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

Title _____

of _____, that I have signed the foregoing

Organization	Country	Year	Value
...	...	...	...

document in the space below as _____ of _____

Title		Organization	
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
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98	...	...	...
99	...	...	...
100	...	...	...

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 _____)
) SS.

County of Blaine

Subscribed and sworn (or affirmed) before me this 2nd day of May 19 89

SEAL

Notary Public *Charloth L. Brown*

Residing at Harlem Del.

My Commission Expires 2-18-93 **NICHOL MED**

Last Name Poppy Ident No. 37-12383

Ident No. 37-12383

MICROFILMED
Copies White-State, Yellow-Claimant

FEB 26 1993

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: A37-12383
Date Received: 12/20/1988
Receipt No: C004128
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES H. POPPY
Address: P.O. BOX 1592
HAILEY, ID 83333 208-788-3640

2. Date of Priority: OCT 15, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	SW	SE			BLAINE

5. Description of diverting works:
WELL, 12" DIAMETER, 156' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES; STOCKWATER, 6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	SW	SE		DOMEST	
			SW	SE		STOCK	

A37-12383

Page 1

Date: 04/03/89

MICROFILMED
FEB 26 1993

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-07672, 37-00521, 37-00522

14. Remarks:

***** MEMO TO FILE *****
THIS CLAIM APPEARS TO BE A BENEFICIAL USE CLAIM BASED ON AN
EXPANSION AND CHANGE IN NATURE OF USE OF WATER RIGHT PERMIT
NO. 37-07672.

CLF 3-30-89

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
FEB 26 1993

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. Number A37- 12383Date Received 9-20-88Receipt Number C004128

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED

SEP 20 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) JAMES H. POPPY Phone 208 788 3640Mailing Address P.O. BOX 1592, HAILEY, IDAHO Zip 833332. Date of Priority (Only one (1) per claim) OCTOBER 15, 19823. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. Location of point of diversion is: Township 3N Range 18ESection 29, SW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot _____, B.M.,County of BLAINE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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.1 WELL 12" DIAMETER X 156 FT. DEEP

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 (cfs)For STOCKWATER purposes from 1-1 to 12-31 amount 0.027. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 2 DWELLINGS 6 HORSESMICROFILMED
FEB 26 1993
Copies: White State, Yellow Claimant

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
3N	18E	29			~~S~~	~~S~~			~~S~~								D	S

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

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

IDWR 37-7672 IDWR 37-0521 IDWR 37-0522 or None ()

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ✓ Posted Notice _____ License _____ Permit 37-7672
Decree _____

If applicable provide IDWR Water Right Number 37-7672

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 X 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 document are true and correct.

Signature of Claimant (s) James W. Poppy

Date Sept. 19, 1988

Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing

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 _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 19th day of September 19 88



Notary Public Vicki Lynn Cross

Residing at Belleue, Idaho 83313

My Commission Expires 3-20-94

Last Name POPPY Ident No. _____ Copies White-State, Yellow-Claimant

LAW OFFICES

GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

REBECCA W. ARNOLD
ELEANORE S. BAXENDALE*
CHRISTOPHER J. BEESON
PAUL J. BUSER
JEFFREY C. FEREDAY
RAYMOND D. GIVENS
JAMES D. HANSEN
JUDITH K. HOLCOMBE
KENNETH R. McCLURE
CHAS. F. McDEVITT
LEO EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

TELECOPIER
(208) 343-9492

May 4, 1989

RECEIVED
MAY 04 1989

VIA HAND DELIVERY

Idaho Department of Water Resources
Attention: Carter Fritschle
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Department of Water Resources

RE: Notice of Claims to a Water Rights - James and Martha Poppy
Blaine County

Dear Carter:

As we have discussed, I am enclosing the following for filing with your office:

1. Amended Notice of Claim for License No. A37-07672.
2. Amended Notice of Claim for Domestic and Stockwater Purposes, No. 37-12383.
3. Notice of Claim to a Water Right Acquired Under State Law for Domestic and Stockwater Purposes, along with a check in the amount of \$25.00 for this claim's filing fee.

These filings are in response to the questions raised in Don Shaff's letter of April 5, 1989 to Dr. James H. Poppy. I am also sending a photocopy of each of these notices for your convenience in returning conformed copies to me.

Thank you.

Sincerely,

Jeff Fereday

Jeffrey C. Fereday

JCF/jb
Enclosures

cc: Dr. and Mrs. James Poppy

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FEB 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 28, 1989

Mr. Jeffrey C. Fereday
Box 2720
Boise, Idaho 83701

RE: Snake River Basin Adjudication - Jim Poppy
Claims #A37-12383 and #A37-07672 - Blaine County

Dear Mr. Fereday:

As per your phone conversation with Bruce Schuld on April 21, 1989, we are forwarding to you a copy of the Beneficial Use Field Report for Permit #37-7672.

Regarding amendment of Adjudication Notice of Claim to Water Right #A37-07672, please fill out a long form Notice of Claim to a Water Right in accordance with Mr. Poppy's License #37-7672. On the front page, you should also enter A37-07672 as the "Ident. Number", and C004128 for the "Receipt Number". Then on both sides of the form's title "Notice of Claim to a Water Right" type and high light "AMENDED CLAIM". As usual, please have the "Amended Claim" form properly signed by Mr. Poppy or a representative with the power of attorney, notarized, and sent with a copy of this letter to this office.

The procedure for amending the Domestic and Stockwater Claim #A37-12383 is the same, except Mr. Poppy is amending the claim by dropping the second house from the claim from the Item #9 "Non-Irrigated Uses". Furthermore, the basis for this claim should be indicated as "Beneficial Use" and not the afore license #37-07672 as that would be construed as an expansion of that licensed right.

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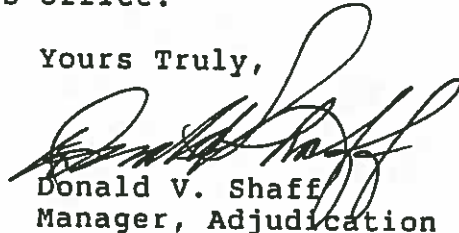
FEB 26 1993

Mr. Jeffrey C. Fereday
Mr. Jim Poppy
Page 2
April 28, 1989

Although a \$25.00 filing fee is required if you file a third Notice of Claim to a Water Right for the second house, you will not be assessed any late filing fees if you file by May 25, 1989, even though you are doing so after the Blaine County Deadline.

If you have any questions or concerns, please do not hesitate to contact Bruce Schuld through this office.

Yours Truly,



Donald V. Shaff
Manager, Adjudication Section

DVS:BAS:mcc:state
Enclosures:

Copy of Beneficial Use Field Report
Copy of License #37-07672

cc: Mr. Jim Poppy
139 Toyon Road
Atherton, California 94025

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FEB 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 5, 1989

Mr. James H. Poppy
P. O. Box 1592
Hailey, ID 83333

RE: Notice of Claim to a Water Right
Blaine County

Dear Mr. Poppy:

We have processed the four claims which you submitted last September. Enclosed are copies of these claims for your files. You should, however, review the information and verify that the information is correct.

One of the claims which was processed, Identification No. A37-07672, however, varies from the original permit which was the basis of claim. The original permit lists 21 acres as being irrigated with the 0.42 cfs; your claim lists 20 acres. If this permit is actually your basis of claim, you may, if you wish, claim the same amount of water (0.40 cfs) as listed on the permit (less 0.02 cfs due to one less acre than the original permit). I have enclosed a copy of the original permit for your information. The permit has been transferred to your name according to our files.

If you wish to modify your claim for Water Right #37-07672, you may submit an amended claim form by making any corrections on the enclosed computer copy of this claim and returning it with a copy of this letter. You must, however, sign the form and have it notarized if you wish to make any changes to the original claim which you submitted.

Additionally, you submitted a second claim which is for domestic and stockwater purposes, and you listed the above mentioned permit as the basis of claim for this water right also. By using the permit as the basis of this claim, you run the risk of reducing the amount of water available for irrigation purposes on Water Right #37-07672.

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FEB 26 1993

Mr. James H. Poppy
April 5, 1989
Page 2

One alternative is to file an Application for Permit for two domestic units and the stockwater. This would result with the date of priority being the date the complete application is received, and an adjudication claim would not be necessary. Another alternative is to modify claim A37-12383 to domestic use for one house and file an additional claim for the other house. If this is done, the irrigation water right from the well should be unaffected by the domestic water rights.

Enclosed is an application for permit, with instructions for your use in this matter. If you wish to file an Application for Permit, return the completed form to the Department of Water Resources, Southern Region, at 2148 4th Ave., East, Twin Falls, ID 83301.

If you wish to amend your original claim to domestic use for one house, and file an additional claim for the other house, two blank claim forms are provided for this purpose. There is no charge for amending claim A37-12383 to domestic use for one house. However, if you file another claim for the second house, an additional \$25.00 filing fee is required.

Return the additional claim to this office to my attention by May 5, 1989, so you will not be assessed a late filing fee. Include a copy of this correspondence with your claims. If you have any further questions or require further help, please do not hesitate to contact this office.

Yours Truly,



Donald V. Shaff
Adjudication Section Manager

DVS:CF:db
Enclosures

2 - Short Forms w/Instructions
Copies of: A37-00512D, A37-00522C, A37-07672, A37-12383
Rec. #C004128
Copy of Application for Permit #37-7672
Application for Permit w/Instructions

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FEB 26 1993

Water Right Number - A37-12383

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/15/1982 J - BENEFICIAL USE

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

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

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

43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060

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

Total Acres:

+ - - Diversion Means - WELL, 12" DIAMETER, 156' DEEP

+ - - Non-Irrigation Use - DOMESTIC, 2 HOMES; STOCKWATER, 6 HORSES

+ - - Other Rights for Same Use - 37-07672, 37-00521, 37-00522

+ - - - - - - - - - - - - - - - - - Remarks - - - - - +
***** MEMO TO FILE *****
THIS CLAIM APPEARS TO BE A BENEFICIAL USE CLAIM BASED ON AN
EXPANSION AND CHANGE IN NATURE OF USE OF WATER RIGHT PERMIT
NO. 37-07672.
CLF 3-30-89

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

- - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

- Audit Fields -

FEB 26 1993

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Water right number - A37-12383

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 12/20/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - C004128 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | | |

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)04/20/89 08:01:36
Page 1

Water Right Number - A37-07672

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/29/1978 17 P - PERMIT+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.010+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.010 50.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

Total Acres: 20.0

+ - - Diversion Means - WELL, 12" DIAMETER, 156 FT. DEEP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00521D, A37-00522C

+ - - - - - - - - - - - - - - - Remarks - - - - - +
THIS WATER IS USED TO SUPPLEMENT SURFACE WATER IRRIGATION WHICH
HAS A YOUNG PRIORITY DATE AND ENDS IN JULY.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - - - - - - - - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-----------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |

FEB 26 1993

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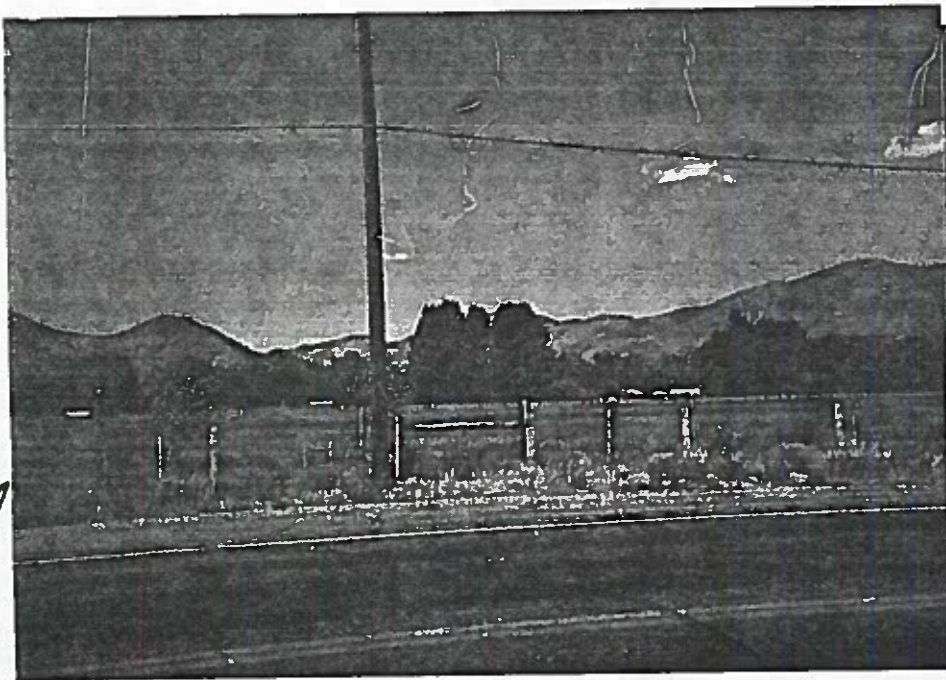
Water right number - A37-07672

Adj. flag translation: Adjudication Temporary Work Area

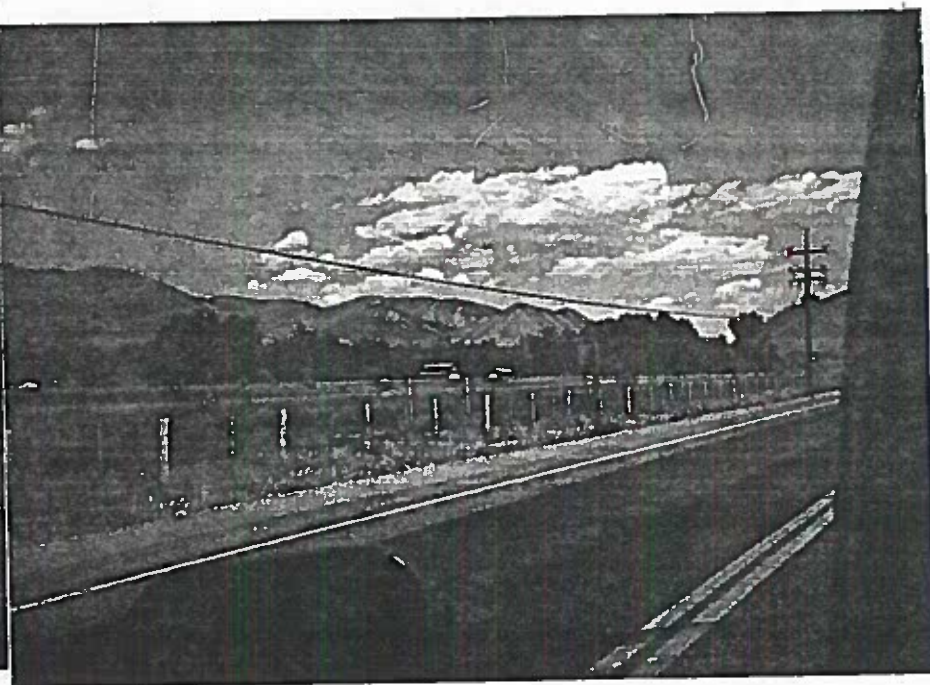
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|---------------------|--------------|--------------------|--------------|-------------------------|-----|
| Claim Received Date | - 12/20/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - C004128 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | | |

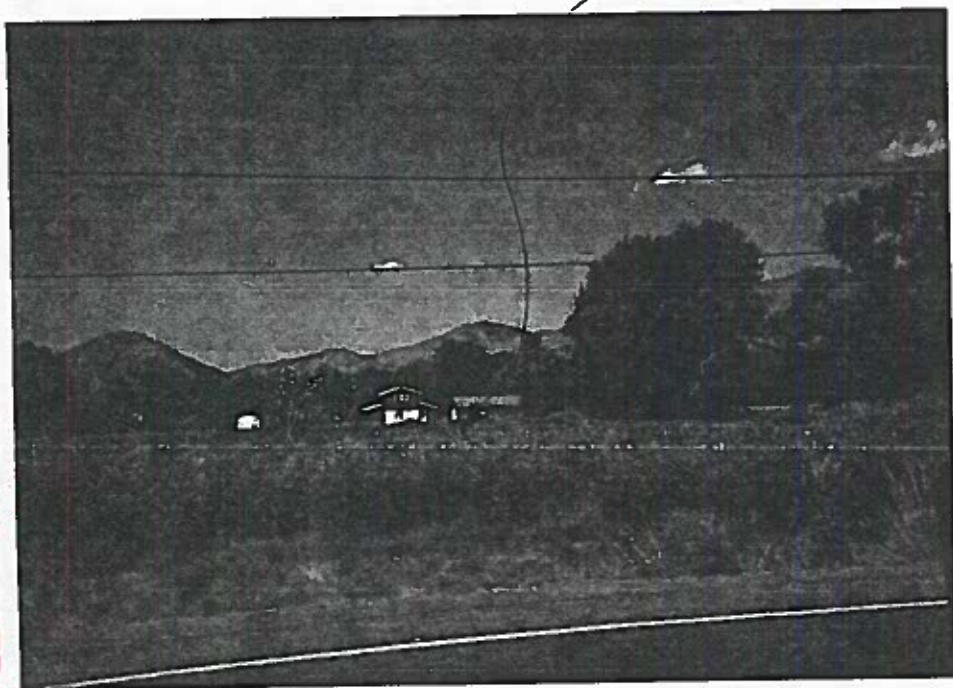
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FEB 26 1993



Lands Irrigated



Well Location.



James H. Poppy

#37-7672

Lands Irr. by Wheel lines.

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FEB 26 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07672

Priority: September 15, 1977 Amount: 0.42 CFS 63.0 AFA

This is to certify, that J. H. POPPY
139 TOYON RD.
ATHERTON, CA 94025

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated September 15, 1977, and
has submitted proof to the Department of Water Resources on February 15, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .430 cfs of water from a GROUNDWATER
source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| IRRIGATION | 04/01 to 11/01 | 0.42 CFS | 63.0 AFA |

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 29, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 03N | 18E | 29 | SWSE | 21 | | 21 |
| Total number of acres irrigated: | | | | | | 21 |

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of APRIL, 1989.

Acting for the Director



MICROFILMED

FEB 26 1992

MICROFILMED
OCT 26 1994

WATER RIGHT NUMBER - A37-12383

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000
+ - - AUDIT FIELDS - 03/30/89 FRITSCHL 04/03/89 FRITSCHL 05/11/89 FRITSCHL 10/03/89 REFUNDML
+ - - - - -COMMENTS- - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER | - 39576 |
| OBJECTION FILED DATE | - 00/00/0000 | FIELD INSPECTION FLAG | - | OLD CASE NUMBER | - |
| RESPONSE FILED DATE | - 00/00/0000 | VERIFIED DATE | - 00/00/0000 | OLD JUDICIAL DISTRICT | - |
| CLAIM RECEIVED DATE | - 12/26/1988 | LAST AMENDED DATE | - 05/04/1989 | TEMPORARY RIGHT | - P |
| PROOF DUE DATE | - 00/00/0000 | PROOF MADE DATE | - 00/00/0000 | WATER DISTRICT | - |
| LICENSED DATE | - 00/00/0000 | RECEIPT NUMBER | - C004128 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | POU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - AND | NOTICE OF ERROR FLAG | - |

RP000117000030A

DATA ENTRY

ENTERED 1-9-94/15

CHECKED 6-4-94/2

"Verified By"
Topo Map/Ortho-PQ
ASOS Map
Watermaster Records
NAFPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

MAR 01 1992

PROOF

JAN n 6 1992

CERTIFIED

MAR 27 1992

WATER EXAMINER