

11/22/2006

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

RIGHT NUMBER: 1-194H
NAME AND ADDRESS: WILLIAM PERCIN
31 N 3167 E
IDAHO FALLS ID 83402

MARY PERCIN
31 N 3167 E
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.114 CFS
PRIORITY DATE: 06/01/1896
POINT OF DIVERSION:

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.114 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County
T04N R37E S35 Lot 7 NESE 4.40

4.4 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: BASIS OF CLAIM - Decreed

This right is a split from former right 1-194B.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered from Great Western Canal through Percin Pump.

11/20/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-194H

WILLIAM PERCIN
31 N 3167 E
IDAHO FALLS ID 83402
Telephone Number: (208)523-9701

MARY PERCIN
31 N 3167 E
IDAHO FALLS ID 83402
Telephone Number: (208)523-9701

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of Use should not be recommended under 1-194C

2. Describe the changes you wish to make in the proposed recommendation:

Would like place of Use as recommended on original claim 1-194H

3. Give a brief explanation as to why you disagree with these portions:

Have submitted supporting documents to DEPT. OF WATER RESOURCES EASTERN DISTRICT OFFICE 11/22/06. MR. Aaron Golart WR AGENT.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*KMO
11/30*



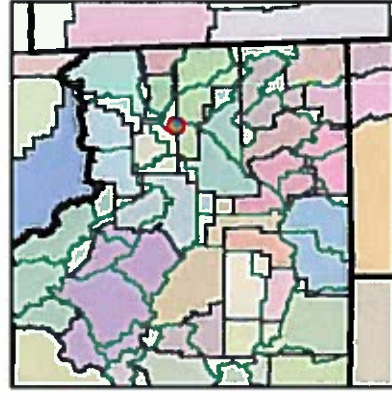
Idaho Department of Water Resources

SRBA Recommendation:

1-194H
(Irrigation)

Legend

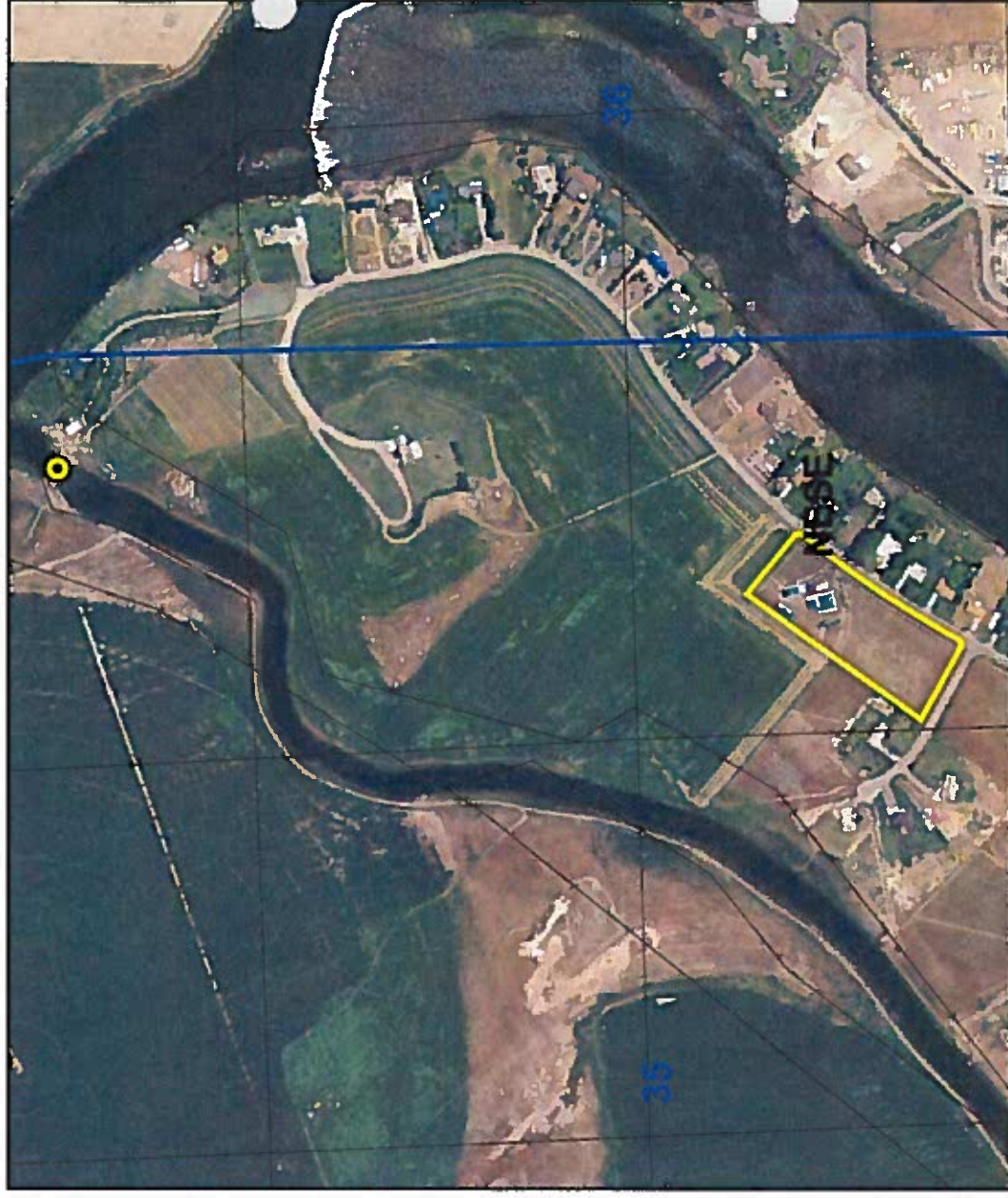
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Jefferson County
IDWR Basin 1



R37E



T04N

0.6 Miles

0.3

0

Prepared by A. Golart
On Wednesday, November 22, 2006
2004 Aerial Photography

Notes

11/8/2006 - Recommended as part of
1-194 D Bear Island Water Association

$\phi. \phi 2529 \frac{\text{cts}}{\text{acre}} \times 4.4 \text{ acres} = \phi. 111 \text{ cts}$

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority Date</u>	<u>Owner(s)</u>	<u>Claimed Rate(cfs)</u>	<u>Rec CFS</u>
1	194	B	1896-06-01	HORNER, SUSAN (Curr	0.17	
1	194	C	1896-06-01	BEAR ISLAND WATER /	2	0.66
1	194	D	1896-06-01	BEAR ISLAND WATER /	0.49	0.49
1	194	F	1896-06-01	RICE, KATHIE L (Curren	0.13	0.13
1	194	G	1896-06-01	H & W WATER USERS /	0.56	0.56
1	194	H	1896-06-01	PERCIN, MARY (Current	0.11	
1	10029		1896-06-01	BOWERS, CHARLES (C	0.08	0.06
1	10512		1896-06-01	BROWN, LLOYD C (Cun	1.83	1.28
1	10396		1896-06-01	THOMPSON, CHERYL A	0.15	0.025
1	10513		1896-06-01	ZIGLER, DANIEL	0.14	0.14
TOTAL				3.5cfs Decreed	5.66	3.345

1-10212

1-10396

Transfer/Revol
poll.
138 acres
3.5 cfs

1-194C

1-194E

1-194D

1-194F

1-10029





RONALD CARLSON
WATERMASTER

(208) 525-7172
Fax (208) 525-7177

State of Idaho

Water District 1

900 N. Skyline Dr., Suite A

Idaho Falls, Idaho 83402-1718

IDWR DIRECTOR
KARL J. DREHER

MEMORANDUM

COMMITTEE OF NINE

CHAIRMAN
Leonard Beck
Burley

VICE CHAIRMAN
Don Hale
Blackfoot

Larry Kerbs
St. Anthony

Paul Berggren
Blackfoot

Dale Rockwood
Idaho Falls

Claude Storer
Idaho Falls

Wayne Lincoln
Filer

Albert Lockwood
Eden

Ed Clark
Ashton

To: Bill and Mary Percin, Bear Island Estates Division #2
From: Tony Olenichak, Deputy Watermaster
Date: April 8, 2002
RE: Water Right

The subdivided lots owned by Bill and Mary Percin are within the place of use described in Transfer #2188 for water right 01-00194B, 2.63 cfs, and 6/1/1896 priority, originally owned by David and Mina Jones. Bear Island Water Association has filed a SRBA claim (A01-00194C) for a 2.00 cfs portion of this water right that includes the Percin's lots within the place of use. I do not know the precise portion of the Bear Island Water Association's right that the Percins will be able to use (depending on how the Association wishes to distribute the 2.0 cfs), however, it appears certain that they have a water right which serves their property.

In addition, Bill & Mary Percin own 7.5 acre-feet of space in the Palisades Water Users' storage contract. The space is currently empty, and it is too early to predict the precise amount that will accumulate in the reservoir account. The Palisades Water Users' were allocated new water to approximately fill 13% of their space last year. This year's allocation (to be determined in late-May or early June) may be similar to last year's allocation.

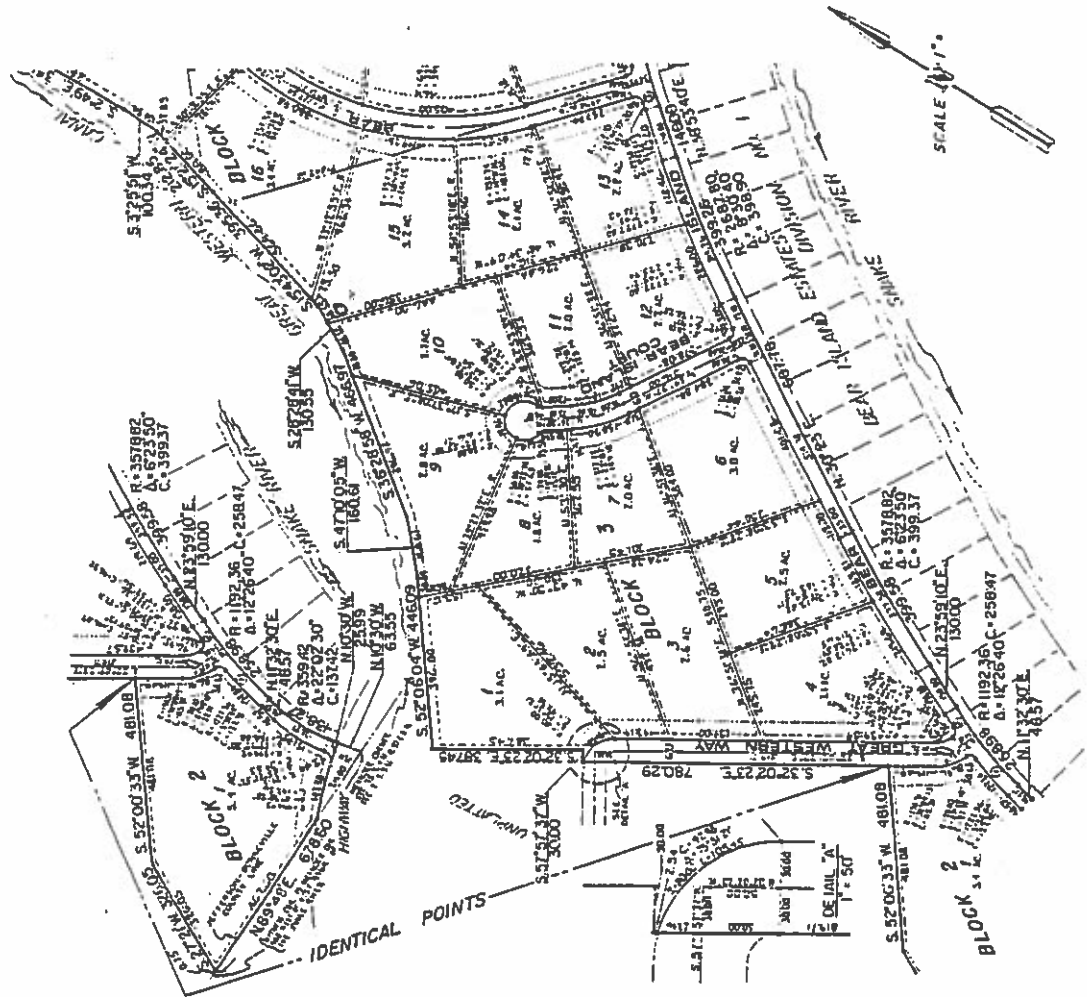
523-9701.

BEAR ISLAND ESTATES

DIVISION NO. 2

JEFFERSON COUNTY, IDAHO

A PORTION OF SECTIONS 36 & 38 T. 4N. R. 37E. 8M.
ELLSWORTH ENGINEERING, INC.
IDAHO FALLS IDAHO



AMERICAN LAND TITLE CO.

THIS IS A PHOTO REPRODUCTION OF THE RECORDED PLAT. THIS COMPANY ASSUMES NO LIABILITY OF RE SURVEY, IF ANY.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-194C

WATER RIGHT NUMBER: 1-194C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID W JONES RT 1 BOX 117 ROBERTS, ID 83444
Original Owner	THOMAS WEIR , ZZ
Original Owner	MINA E JONES RT 1 BOX 117 ROBERTS, ID 83444
Current Owner	BEAR ISLAND WATER ASSN 1960 BEAR ISLAND DR IDAHO FALLS, ID 83402 (208)523-0077

Priority Date: 06/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L9 NE1/4NE1/4NE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	35	7.0 L 6		1.0 L 6	35.0 L 6									20.0 L 7	15.0 L 7	10.0 L 8	1.0 L 8	89.0
04N	37E	36					4.0 L 4	7.0 L 4											11.0

Total Acres: 100

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-194C

1. General MEMBERS OF WATER ASSOCIATION OWN SUBDIVISION LOTS.
P/D GREAT WESTERN CANAL ADDITIONAL P/D'S FROM CANAL BY INDIVIDUALS P/U
AKA BEAR ISLAND ESTATES DIVISION NO. 2

Comments:

Dates and Other Information:

Claim Received Date: 12/16/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
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

INCORPORATED UNDER THE LAWS OF

THE STATE OF IDAHO

Shares 7.5

645

PALISADES WATER USERS, INCORPORATED

75,000 SHARES OF ASSESSABLE
COMMON STOCK OF NO PAR VALUE

THIS CERTIFIES THAT

Seven & One Half (7.5)

Bill or Mary Percin

Shares of No Par Value each of the Capital Stock of

is the owner of

transferable only on the books of the Corporation by the holder
hereof in person or by Attorney upon surrender of this Certificate
properly endorsed.

NOTICE: Pursuant to the Bylaws, this stock is 1. ASSESSABLE, and 2. Its TRANSFER IS
RESTRICTED. A copy of the Bylaws will be provided upon request.

In Witness Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and to be sealed with the Seal of the Corporation

this 5th day of June A.D. 1995

President

SECRETARY

SHARES

NO PAR VALUE

EACH

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-194D

WATER RIGHT NUMBER: 1-194D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BEAR ISLAND ESTATES DIVERSION NO 1 C/O BRUCE PETERSON 15269 BEAR ISLAND DR IDAHO FALLS, ID 83401
Original Owner	THOMAS WEIR
	, ZZ
Current Owner	BEAR ISLAND WATER ASSN 14989 BEAR ISLAND DR IDAHO FALLS, ID 83402 (208)524-6376

Priority Date: 06/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.490 CFS	
	<u>Total Diversion:</u>	0.490 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L8 SE1/4SW1/4SE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L4 SW1/4SW1/4NW1/4	Sec. 36, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L7 SE1/4NE1/4SE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L4 NW1/4NW1/4SW1/4	Sec. 36, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L4 SW1/4NW1/4NW1/4	Sec. 36, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L7 SW1/4NE1/4SE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L4 NW1/4SW1/4NW1/4	Sec. 36, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L4 SE1/4SW1/4NW1/4	Sec. 36, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	L8 SW1/4SE1/4SE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-194D

SNAKE RIVER
JEFFERSON County

L7 NE1/4NE1/4SE1/4

Sec. 35, Twp 04N, Rge 37E, B.M.

SNAKE RIVER
JEFFERSON County

L8 NW1/4SE1/4SE1/4

Sec. 35, Twp 04N, Rge 37E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	35													7.0		2.2	2.9	12.1
															L 7		L 8	L 8	
04N	37E	36							6.1				1.5						7.6
									L 4				L 4						

Total Acres: 19.7

Conditions of Approval:Remarks:

1. General TRANS. 2344.
P/D PUMPS AND SPRINKLERS ON EACH INDIVIDUAL LOT.
P/D IN LOTS 1 THRU 12 (SESE) AND LOTS 13 THRU 23 (NESE) SEC. 35, P/D IN LOTS 24 THRU 27 (NWSW) AND LOTS 28 THRU 35 (SWNW) SEC. 36 T04N, R37E.
P/U AKA BEAR ISLAND ESTATES DIVISION NO. 1.

Comments:Dates and Other Information:

Claim Received Date: 9/7/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 01
 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

April 08, 2002

Dear New Sweden Irrigation Water Co.:

I am writing this state as the President of the Bear Island Water
^{MENT}
Association, to ok the use of Irrigation water allocated for lots 12 & 13
In Division 2 Bear Island Estates. Owned by Bill & Mary Percin.

Sincerely,



Gordon Egan

BREAR ISLAND ESTATES
DIVISION NO. 2

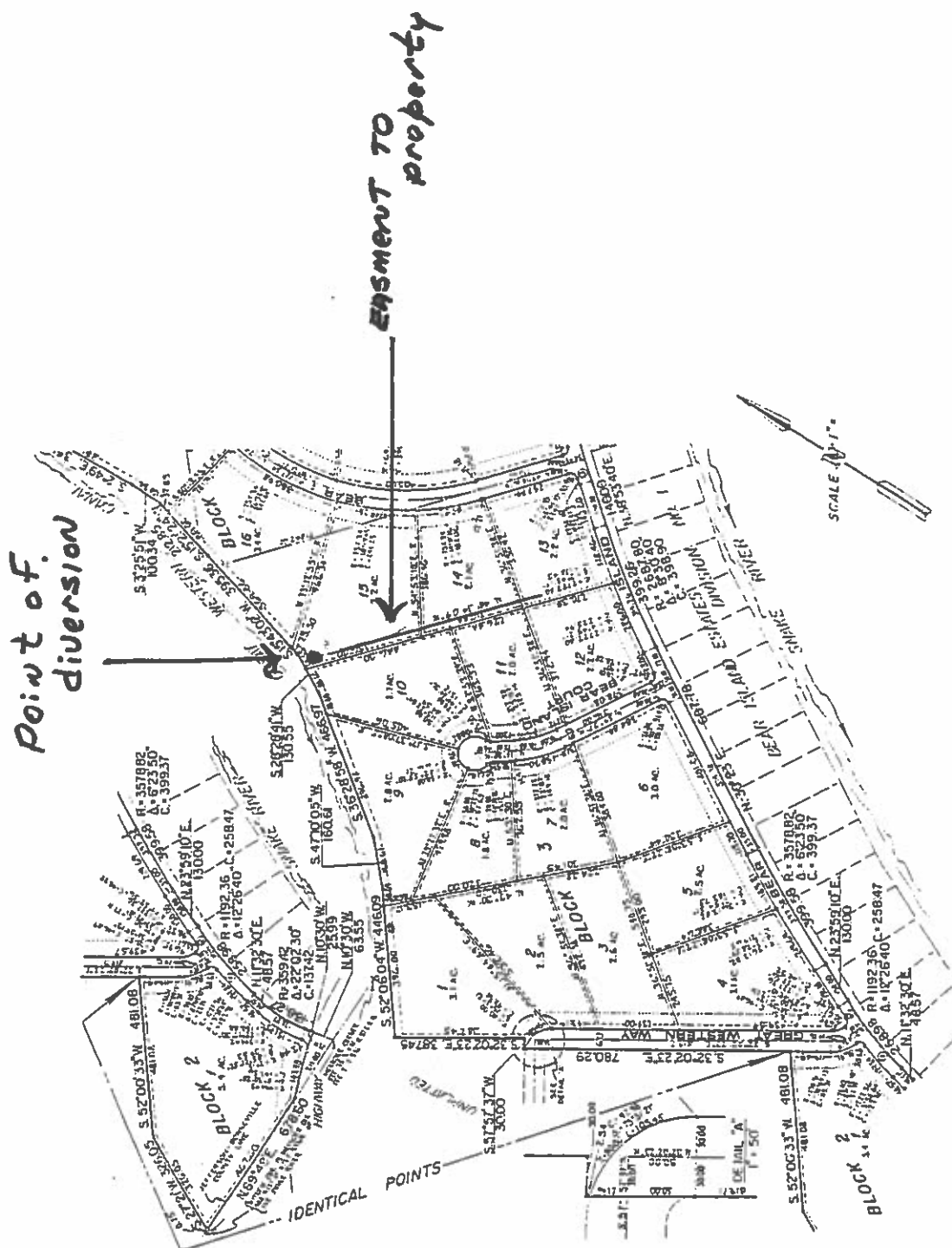
Division No. 8

JEFFERSON COUNTY, IDAHO

A PORTION OF SECTIONS 35 & 36 T. 4 N. R. 37 E. B.M.

WORTH ENGINEERING, INC.
IDAHO FALLS, IDAHO

DEATH ENGINEER, DIALO FALLS IDAHO



Assignment to property

SCALE 10-15

AMERICAN LAND TITLE CO.

THIS IS A PHOTO REPRODUCTION OF THE RECORDED PLAT. THIS COMPANY ASSUMES NO LIABILITY OF RE-SURVEY, IF ANY.



Percin stand pipe $\frac{1}{2}$ 5 hp. pump on Great Western 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 1-194H
Date Received: 4/19/2004
Receipt No: E029734
Received By: MWA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM PERCIN Phone: (208)523-9701
31 N 3167 E
IDAHO FALLS ID USA 83402

MARY PERCIN Phone: (208)523-9701
31 N 3167 E
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/01/1896

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	37E	35	NW SE	JEFFERSON	

5. Description of diverting works:

5 HP PUMP OUT OF GREAT WESTERN.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.114	

7. Total Quantity Appropriated is:
0.114 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

SCANNED

NOV 10 2004

PROFILED



04N

37E 35

NE SE 7

IRRIGATION 4.4

Section Acres 4.4

Total Acres 4.4

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR A PORTION OR WR 01-194 B. POU ALSO CLAIMED UNDER 1-194 C.

15. Basis of Claim: Decreed

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): William J. Pen Date: 4-19-04

Date: _____

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 19thof April 2004Wendy J. Murphy

Notary Public

Residing at Idaho FallsMy commission Expires 6/23/06

SCANNED

NOV 10 2004

PROFILED