

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A
0004310839 NOV 21 2006
MAILED FROM ZIP CODE 83720
\$ 00.870

447

Moved - not here

NOE
WR # 67-2218B
Change of address?
According to tax lots, address for Thelma Stuppy is:
1127 Olds Ferry Rd
Meridian ID 83672
Comment in Quicklook
mub 6/13/2007



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

THELMA STUPPY
937 W RIODOSA DR
MERIDIAN ID 83642

SCANNED

FEB 27 2007

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



WAT

THELMA STUPPY
937 W RIODOSA DR
MERIDIAN ID 83542

FIRST CLASS



UNITED STATES POSTAL SERVICE
PITNEY BOWES
0004389393 JAN 19 2007
MAILED FROM ZIP CODE 83720

JAN 31 2007

67

Director's Report
WR # 67-2218B

SCANNED

MAR 13 2007

10/30/2006

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

RIGHT NUMBER: 67-2218B

NAME AND ADDRESS: THELMA STUPPY
937 W RIODOSA DR
MERIDIAN ID 83642

STUART D NESBITT
1127 OLDS FERRY RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
45.000 AFY

PRIORITY DATE: 04/05/1952

POINT OF DIVERSION:

T11N R06W S24 SWSNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.150 CFS 45.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S24 SENW 10.00

10 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

Use of this right is combined with water from Weiser Irrigation District.

This right is a split from former right 67-2218.



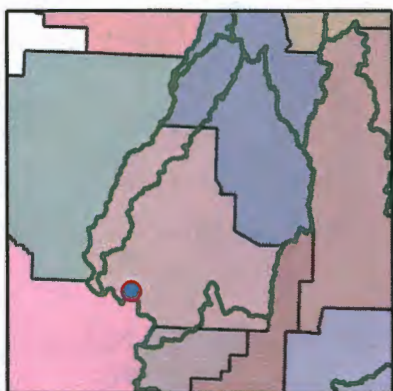
Idaho Department of Water Resources

SRBA Recommendation:

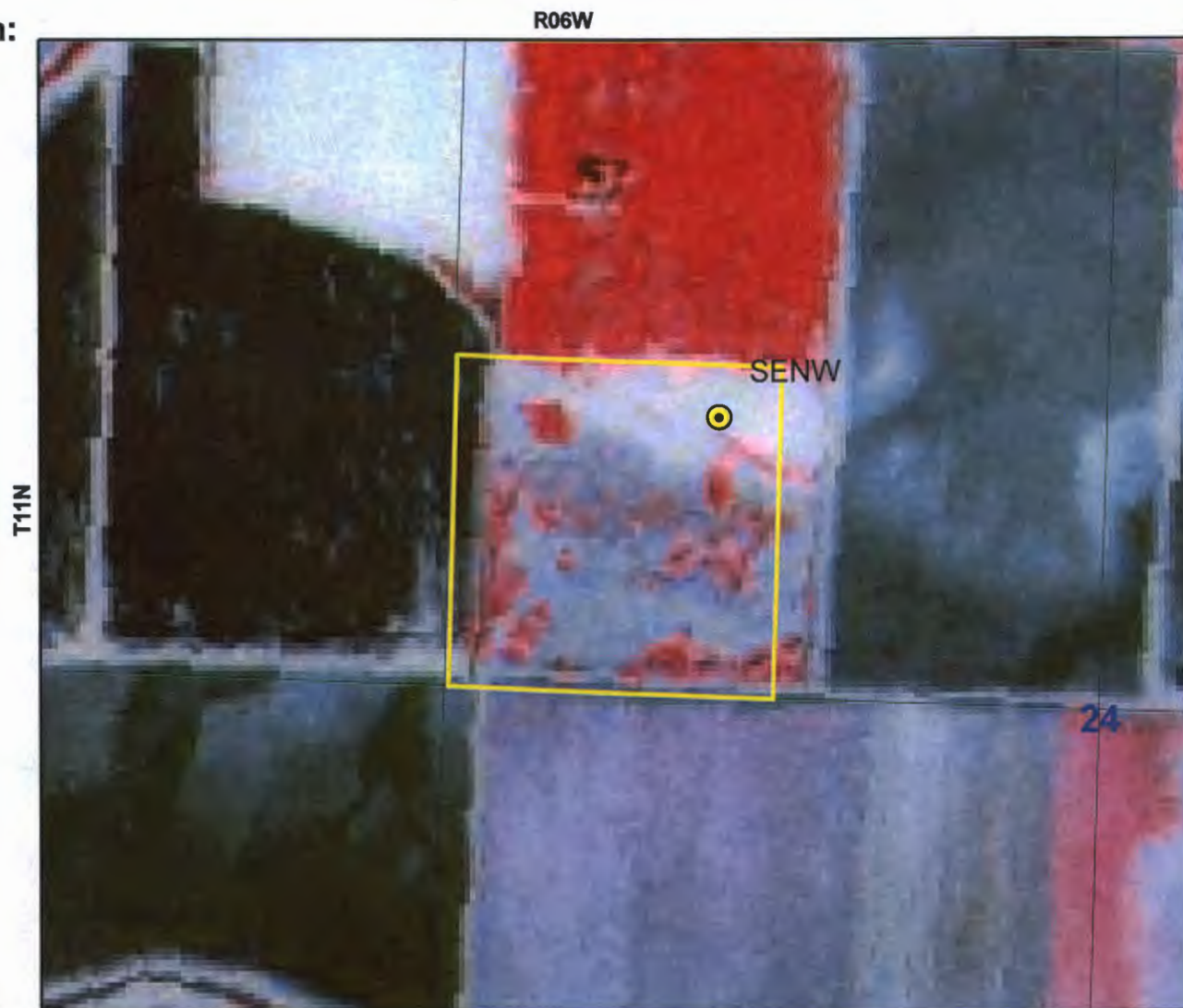
67-2218B

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by J. Dean
On Monday, October 30, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218B V1

WATER RIGHT NUMBER: 67-2218B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ADELA BRECHBIEL 1117 OLDS FERRY RD WEISER, ID 83672 (208)549-0279
Original Owner	HOWARD H BRECHBIEL WEISER, ID
Current Owner	THELMA STUPPY 937 W RIODOSA DR MERIDIAN, ID 83642 (208)895-8140
Original Owner	LLOYD A BRECHBIEL 1117 OLDS FERRY RD WEISER, ID 83672 (208)549-0279
Present Owner	STUART D NESBITT 1127 OLDS FERRY RD WEISER, ID 83672 (208)549-0510

Priority Date: 04/05/1952

Basis: License

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>
IRRIGATION	03/01 to 11/15	0.150 CFS	45.00 AF
	<u>Total Diversion:</u>	0.150 CFS	45.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NW1/4	Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON 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	
11N	06W	24								10.0									10.0

Total Acres: 10

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218B V1

Conditions of Approval:

1. F14 Use of this right is combined with water from Weiser Irrigation District.
2. C18 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.
3. P21 This right is a split from former right 67-2218.

Remarks:Comments:

1. mcase 4/22/2004 POD
Comment: POD shape generated from PLS information.
2. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
3. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.
4. jdean 10/30/2006 Transfer
Comment: This claim appears to have been transferred twice. From the water right file both transfer 3402 and 5355 were to transfer the POD from the main POD in NESENW to SWSENW. This claim should cover both water rights 67-2218B and 67-2218D. The POD is recommended as per the second transfer and the remaining claims are recommended from the original POD.
5. jdean 10/30/2006 Period of Use
Comment: The period of use was recommended as per standard. The transfer shortened the season of use, but the purpose of the transfer was to move the POD, so the season can still be recommended according to the standard.
6. jdean 10/30/2006 Present Owner
Comment: The tax lot data did not match the claimant and so the tax lot owner was added to the claim as a present owner.

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:
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

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218B V1

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/22/2004 3:05:06 PM	mcase			Active
POD	4/22/2004 3:09:09 PM	mcase			Active
Source	4/22/2004 3:09:19 PM	mcase			Active
POU	4/22/2004 3:09:28 PM	mcase			Active
Use	4/22/2004 3:11:39 PM	mcase			Active
Season	4/22/2004 3:12:28 PM	mcase			Active
Quantity	4/22/2004 3:12:39 PM	mcase			Active
Season	6/1/2004 2:28:05 PM	mcase			Active
Contacts	10/30/2006 1:52:46 PM	jdean			Active
Summary			10/30/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/30/2006 1:57:02 PM	jdean	Updated shape
POU	10/30/2006 1:58:24 PM	jdean	Updated shape for Active POU
POU	10/30/2006 1:58:35 PM	jdean	Updated PLS for Active POU
Contacts	10/30/2006 1:52:47 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POD	10/30/2006 1:57:22 PM	jdean	Updated PLS
Summary	10/30/2006 2:10:05 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	1/14/2004 1:49:57 PM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218B V1

Season	6/1/2004 2:28:05 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Priority Date	4/22/2004 3:05:06 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/22/2004 3:08:32 PM	mcase	Edited point location
POD	4/22/2004 3:09:09 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 3:09:19 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/22/2004 3:09:28 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 3:11:39 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 3:12:29 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218B V1

Quantity	4/22/2004 3:12:40 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?
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Water Supply Bank:

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: A67-02218B
Date Received: 10/ 4/1989
Receipt No: M004794
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: THELMA STUPPY
Address: 937 W RIODOSA DR
MERIDIAN ID

208-895-8140

83642

2. Date of Priority: APR 5, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	06W	24	SW	SE	NW		WASHINGTON

5. Description of diverting works:
8" CASING, 45' DEEP, SUB. PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		45.00

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 45.00 A.F.A.

8. Total consumptive use is 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
11N	06W	24	SE	NW		IRR	10.0

SCANNED
MAY 10 2004

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 3402.

OWNERSHIP CHANGED BY LH 3/24/97.

TRANSFER 5355 APPROVED 2/18/99.

FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF
TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: LICENSE

Water Right Number: 22701

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5355
WATER RIGHT NO. 67-02218D

RECEIVED

FEB 26 1999

WATER RESOURCES
WESTERN REGION

This is to certify that: **THELMA STUPPY**
937 W RIDOSA DR
MERIDIAN ID 83642

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	45.0 AF

SOURCE

GROUNDWATER

Priority: 04/05/1952

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 24, Township 11N, Range 06W
WASHINGTON 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>
11N	06W	24	SENW	10		10
Total number of acres irrigated:						10

CONDITIONS OF APPROVAL AND REMARKS

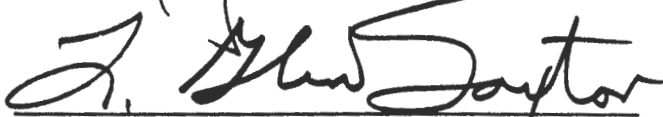
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5355
WATER RIGHT NO. 67-02218D

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 18th day of February, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 67-02218

FROM: Pam Skaggs  State Office

SUBJECT: Transfer 5355

DATE: February 18, 1999

Transfer 5355 changes the point of diversion under a portion of Right 67-02218A, splitting the right into Parts C and D. The applicant wants to drill a well on her property to serve her land.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include drilling permit requirements, future annual measurement & reporting, irrigation overlap and standard transfer conditions.

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: **A67-02218B**
Date Received: 10/ 4/1989
Receipt No: M004794
Received By: _____

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

1. Name: THELMA STUPPY 208-895-8140
Address: 937 W RIODOSA DR
MERIDIAN ID 83642

2. Date of Priority: APR 5, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	06W	24	SW	SE	NW		WASHINGTON

5. Description of diverting works:
8" CASING, 45' DEEP, SUB. PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is 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
11N	06W	24	SE	NW		IRR	10.0
Section Acres							10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 3402.
OWNERSHIP CHANGED BY LH 3/24/97.

15. Basis of Claim: LICENSE

Water Right Number: 22701

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: This right is a split of AL7-02218^{TS} 3-24-97

☐ Name and Address of Former Owner/Claimant(s)(Seller): David Brechbiel
Kelly Brechbiel

☐ New Owner/Claimant (Purchaser): Thelma Stuppy

☐ New Mailing Address: 1127 Olds Ferry Rd. #937 W. Riopasa Dr.
Weiser ID 83672 MERIDIAN, ID

☐ New Telephone Number: (208) 549-0510 895-8140 ⁸³⁶⁴²

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Water for 10 Acres of Original 40 claimed for the
well in 1952, April 5.

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Thelma Stuppy Date 8-16-96

Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

RECEIVED

AUG 27 1996

WATER RESOURCES
WESTERN REGION

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received

RECEIVED

AUG 27 1996

WATER RESOURCES
WESTERN REGION

DAVID BRECHBIEL, a single person and KELLY BRECHBIEL, a single person

The grantors, do hereby grant, bargain, sell and convey unto

THELMA F. STUPPY, a single person

the grantee, whose current address is

1555 S. MAPLE GROVE, BOISE, ID 83709

the following described premises, in WASHINGTON

County Idaho, to-wit:

THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 North, Range 6 West, Boise Meridian, Washington County, Idaho.TOGETHER WITH a 24.00 foot wide ingress-egress easement within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24, Township 11 North, Range 6 West, Boise Meridian, more particularly described as follows:Beginning at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 North, Range 6 West, B.M.;Thence East 24.00 feet along the North line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;Thence S 0°02'24" E, parallel to the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 1320.04 feet (formerly 1320 feet, more or less) to a point on the South line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;Thence N 89°56'15" W 24.00 feet along the South line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;Thence N 0°02'24" W 1320.02 feet (formerly 1320 feet, more or less) along the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning.ALSO TOGETHER with a 60.00 foot wide ingress-egress easement along the West side of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24, and a 30 foot wide ingress-egress easement along the south side of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

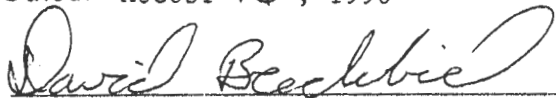
Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: AUGUST 16, 1996



DAVID BRECHBIEL



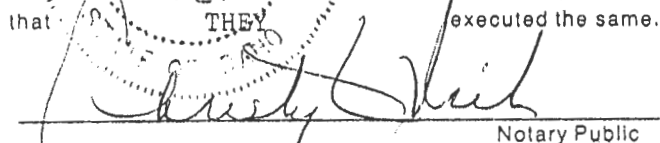
KELLY BRECHBIEL

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 16th day of AUGUST, 1996, before me, a notary public in and for the said State, personally appeared

DAVID BRECHBIEL AND KELLY BRECHBIEL

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary PublicResiding at WEISER, Idaho
Comm. Expires 11/4/97

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the request of WEISER VALLEY TITLE

at 34 minutes past FIFTEEN o'clock P.M.,
this 16TH day of AUGUST, 1996, in my office, and duly recorded in ~~BOOK~~
Deeds ~~BOOK~~ BY #167220By 
SHARON WIDNER
Ex-Officio RecorderFees \$ 3.00
Mail to: WEISER VALLEY TITLEComp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

INSTRUMENT NO.

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: A67-02218B
Date Received: 10/04/1989
Receipt No: W00 4794
Received By: REL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD A. BRECHBIEL 208-549-0279
Address: 1117 OLDS FERRY RD.
WEISER, ID 83672

Name: ADELA BRECHBIEL 208-549-0279
Address: 1117 OLDS FERRY RD.
WEISER, ID 83672

2. Date of Priority: APR 05, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	24	SE	NW			WASHINGTON

5. Description of diverting works:
8" CASING, 45' DEEP, SUB. PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A67-02218B

Page 1

Date: 10/04/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	06W	24	SE NW		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 3402.

15. Basis of Claim: LICENSE
Water Right Number: 22701

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lloyd B. Beckwith Date: 10/4/89

Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 4th day
of OCT 19 89

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

PID

104000

A67-022183

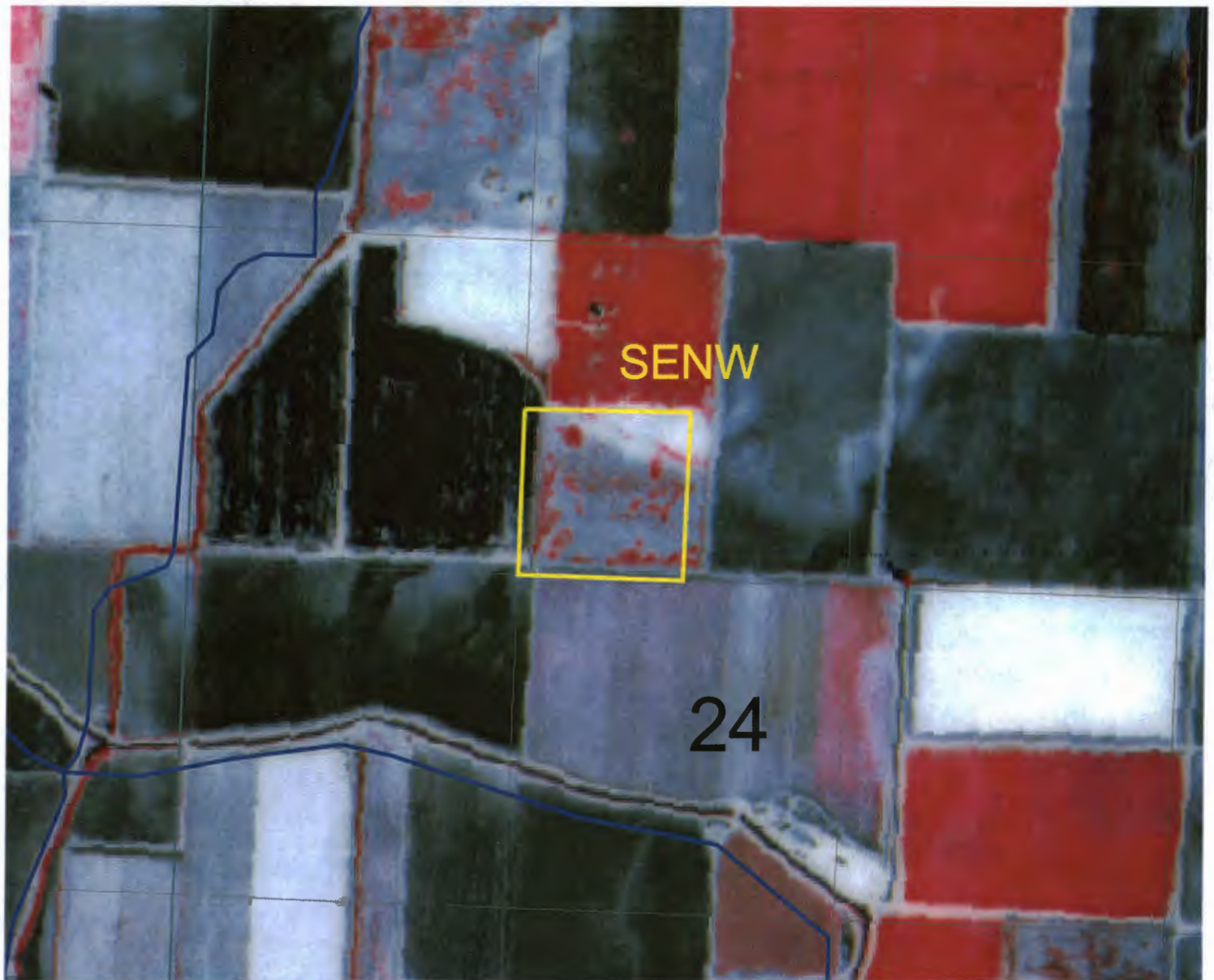
00000000



UNCLASSIFIED
DATE 10/1/92 BY [illegible]

Idaho Department of Water Resources

67-2218B



1000 0 1000 2000 3000 Feet

T11N, R 06W, S24



Prepared by Anita L. Warntjes
January 14, 2004
1993/94 True Color Photo

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218B V1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2218B V1

WATER RIGHT NUMBER: 67-2218B V1

Owner Type	Name and Address
Current Owner	THELMA STUPPY 937 W RIODOSA DR MERIDIAN, ID 83642 (208)895-8140
Original Owner	ADELA BRECHBIEL 1117 OLDS FERRY RD WEISER, ID 83672 (208)549-0279
Original Owner	LLOYD A BRECHBIEL 1117 OLDS FERRY RD WEISER, ID 83672 (208)549-0279
Original Owner	HOWARD H BRECHBIEL WEISER, ID

DRAFT

Priority Date: 04/05/1952

Basis:

Status:

Source Tributary
GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	0.150 CFS	45.00 AF
<u>Total Diversion:</u>		0.150 CFS	45.00 AF

Location of Point(s) of Diversion
GROUND WATER SW1/4SE1/4NW1/4 Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	24	10.0				10.0

Total Acres: 10

Conditions of Approval:

Remarks:

Comments:

1. mcase 4/22/2004 - POD
Comment: POD shape generated from PLS information.
2. mcase 4/22/2004 - Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
3. mcase 4/22/2004 - Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.

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:
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

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/22/2004 3:05:06 PM	mcase			
POD	4/22/2004 3:09:09 PM	mcase			
Source	4/22/2004 3:09:19 PM	mcase			
POU	4/22/2004 3:09:28 PM	mcase			
Use	4/22/2004 3:11:39 PM	mcase			
Season	4/22/2004 3:12:28 PM	mcase			
Quantity	4/22/2004 3:12:39 PM	mcase			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POU	1/14/2004 1:49:57 PM	awamtje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2218B V1

Priority Date	4/22/2004 3:05:06 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/22/2004 3:08:32 PM	mcase	Edited point location
POD	4/22/2004 3:09:09 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 3:09:19 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/22/2004 3:09:28 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 3:11:39 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 3:12:29 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/22/2004 3:12:40 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?



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

March 25, 1997

Re: Notice of Claim to a Water Right No. A67-02218B

THELMA STUPPY
937 W RIODOSA DR
MERIDIAN ID 83642

Dear Ms. Stuppy:

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,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosure

SCANNED
MAY 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

AUG 12 1996

WATER RESOURCES
SOUTHERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 9, 1996

LLOYD A BRECHBIEL
ADELA BRECHBIEL
56 W PARK ST
WEISER ID 83672-1954

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim No. A67-052218B, A67-02265A & A67-10552
Change of Address

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

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

**In Re Snake River Basin Adjudication Case
No. 39576**

**) Notice of Filing Director's Report and Supplemental
) Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.**

**TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:**

**THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.**

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

57336

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720**

**Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1**

RECEIVED

APR 21 1995

Department of Water Resources

**LLOYD A BRECHBIEL
ADELA BRECHBIEL
1117 OLDS FERRY RD
WEISER**

**BRECI17 836722020 1194 04/19/95
FORWARDING TIME EXPIRED
BRECHBIEL
56 W PARK ST
WEISER ID 83672-1954
RETURN TO SENDER**

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 67-2218APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

#3402

Name of applicant Lloyd A. Brechbiel Phone 549-0279
Post Office address 1117 Olds Ferry Road, Weiser, Idaho 83672

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Land was subdivided. Owner retained 10 acres located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and needs to drill a new well to supply water to the 10 acres which were retained.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|----------------------|--------------------|-------------------|-----------------------------------|
| <u>67-2218 B</u> | <u>April 5, 1952</u> | <u>0.15</u> | <u>Irrigation</u> | <u>March 15</u> to <u>Nov. 15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.15 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	24	11N	6W	Washington	

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11N	6W	24								10									10

Total acres 10

PART 1**6. General Information:**

- a. Description of diversion system Well, pump and sprinkler system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-2218B

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 21st day of September, 19 88

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 67-2218 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Washington Co. Assessor

3. Source of water Groundwater tributary to ---

4. Date or priority April 5, 1952

5. Water is used for the following purpose:

amount 0.6 cfs for Irrigation purposes from March 15 to Nov. 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.6 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	24	11N	6W	Washington	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	6W	24								40									40

Total acres 40

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.15 cfs for Irrigation purposes from March 15 to November 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place 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	
11N	6W	24								10									

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.45 for Irrigation purposes from March 15 to November 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	24	11N	6W	Washington	

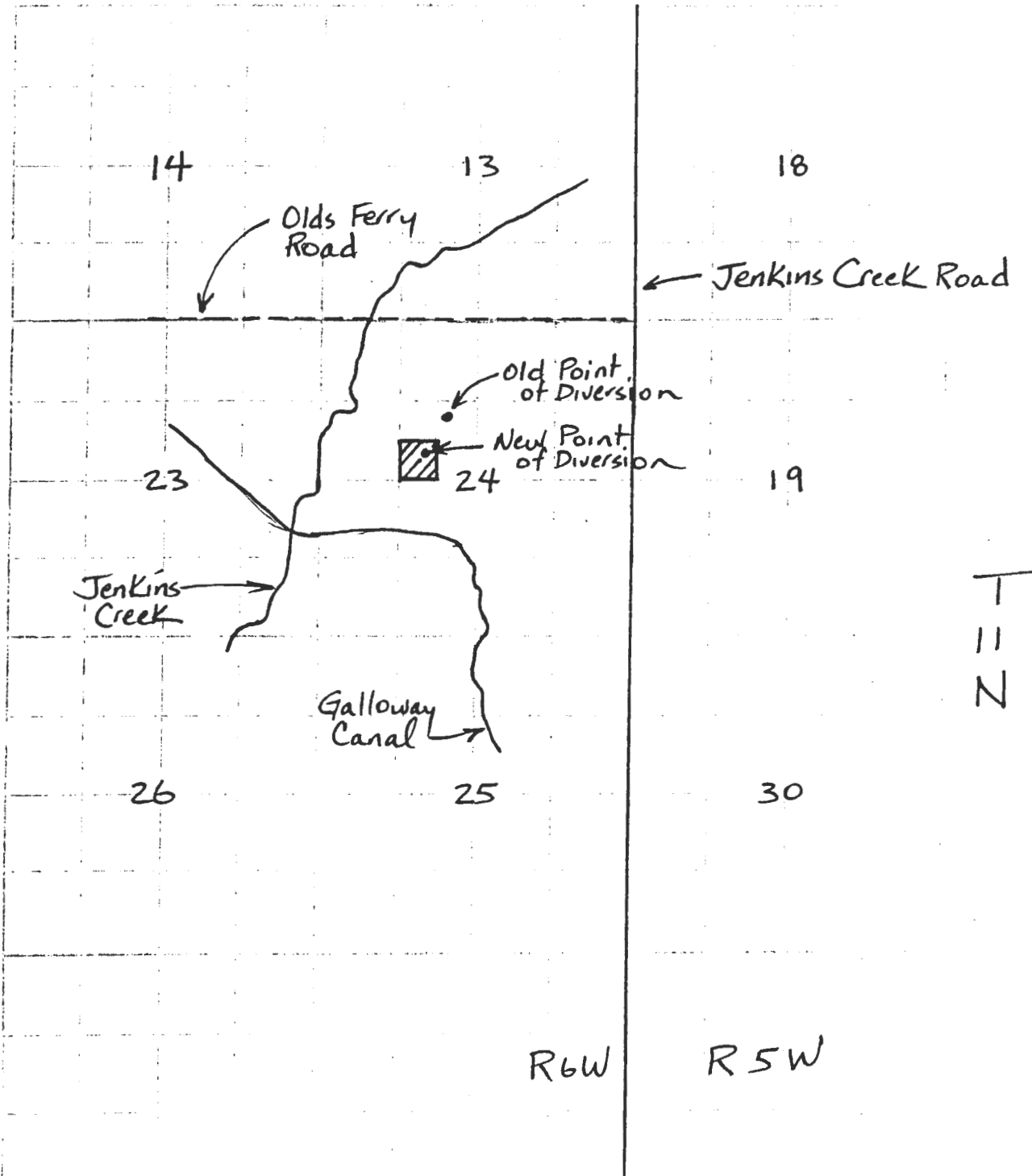
3. Lands irrigated or place of use:

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	
11N	6W	24								30									30

Total acres 30

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft) _____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Lloyd A Breckbill
 (Signature of Applicant)

Subscribed and sworn to before me this 18th day of November, 19 87.

Jenna L Edwards
 (Notary Public)

My commission expires 3/26/91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by al Date 11-19-87 Protest filed by _____

Prelim. check by al Fee \$30.00 _____

Receipted by al Date 11/19/87 _____

Published in The Weiser Signal Copies of protest forwarded by _____

Pub. dates 12/3 & 12/10/87 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DET Jim

Copy of transfer sent to lien holder _____