

12/13/2006

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

RIGHT NUMBER: 22-7140B

NAME AND ADDRESS: BEN KAUFMAN
DBA KAUFMAN BROTHERS JOINT VENTURE
RT 1 BOX 3810
DRIGGS ID 83422

WARREN KAUFMAN
DBA KAUFMAN BROTHERS JOINT VENTURE
RT 1 BOX 3830
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
117.000 AFY

The rights listed below are limited to a total combined diversion rate of 5.51 cfs.
Combined Right Nos.: 22-7140b, 22-7164, 22-12075

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/30/1975

POINT OF DIVERSION:

T06N R44E S24 NWSENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.780 CFS 117.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S13	NESW	35.00	T06N R44E S13	NWSW	34.00
T06N R44E S13	SWSW	33.00	T06N R44E S13	SESW	40.00
T06N R44E S13	SWSE	40.00	T06N R44E S14	NESE	32.00
T06N R44E S14	NWSE	22.00	T06N R44E S14	SWSE	35.00
T06N R44E S14	SESE	32.00	T06N R44E S24	NENE	36.00
T06N R44E S24	NWNE	33.00	T06N R44E S24	SWNE	31.00
T06N R44E S24	SENE	40.00	T06N R44E S24	NENW	40.00
T06N R44E S24	NESE	31.00			

514 ACRES TOTAL

This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 514 acres in a single irrigation season. Combined Right Nos.: 22-464, 22-465, 22-7140B, 22-7164, 22-12075, 22-12077.

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

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

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

Idaho Department of Water Resources

SRBA Recommendation:

22-7140B

22-7164

22-12075

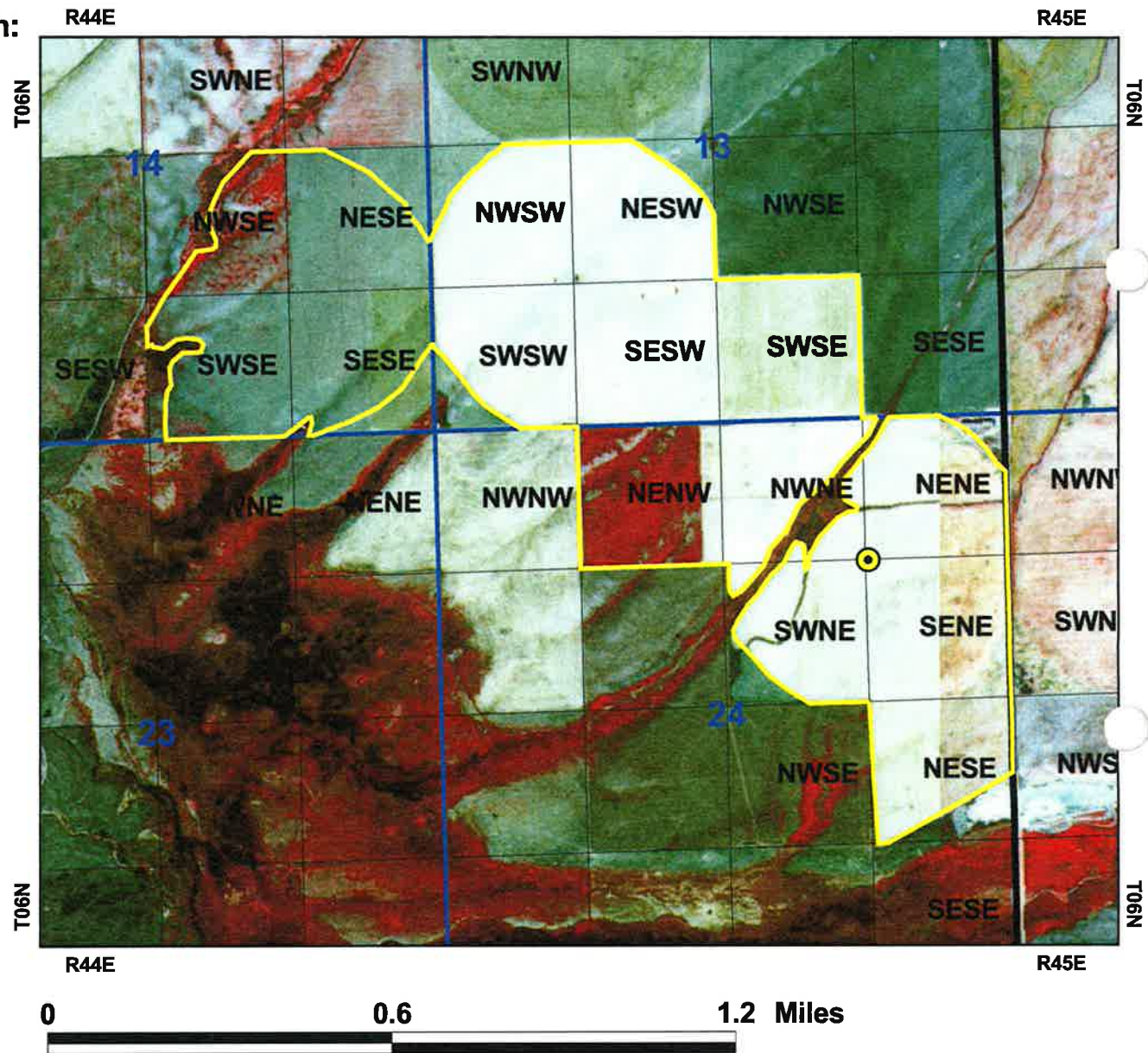
(Irrigation)

Legend

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



**Teton County
IDWR Basin 22**



**Prepared by T. Galbraith
On Wednesday, July 12, 2006
1987/88 Aerial Photography**

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07140B

Priority: June 30, 1975

Maximum Diversion Rate: 0.78 CFS
Maximum Diversion Volume:¹ 117.0 AF

This is to certify, that WARREN KAUFMAN
BEN KAUFMAN
DBA KAUFMAN BROTHERS JOINT VENTURE

RT. 1 BOX 3830
DRIGGS, ID 83422

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1975; and has submitted Proof of Beneficial Use on June 18, 1980. An examination indicates that the works have a diversion capacity of 5.510 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.78 CFS	117.0 AF

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 24, Township 06N, Range 44E
TETON 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>
06N	44E	13	SWSE	39		39

Total number of acres irrigated: 39

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

MICROFILMED

JUN 01 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07140B

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Right 22-7164 shall not exceed 5.51 cfs.

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 24th day of MAY, 1990.

Acting for R. Keith Higginson, Director

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JUN 01 1990

Water Right No(s). 22-12075, 22-7164, 22-7140B



GPS DATA:

Tag # : AO013688

Location: on Elect Panel

Diversion Data:

Source: GW

Trib to:

MOTOR

Make: GE Model: 5K6318XC82A Hp: 400 SN: BMJ204014

PUMP

Make: Johnston Model: NO TAG Disch: 12" SN:

NOTES: This well serves 4 Pivots and corners.

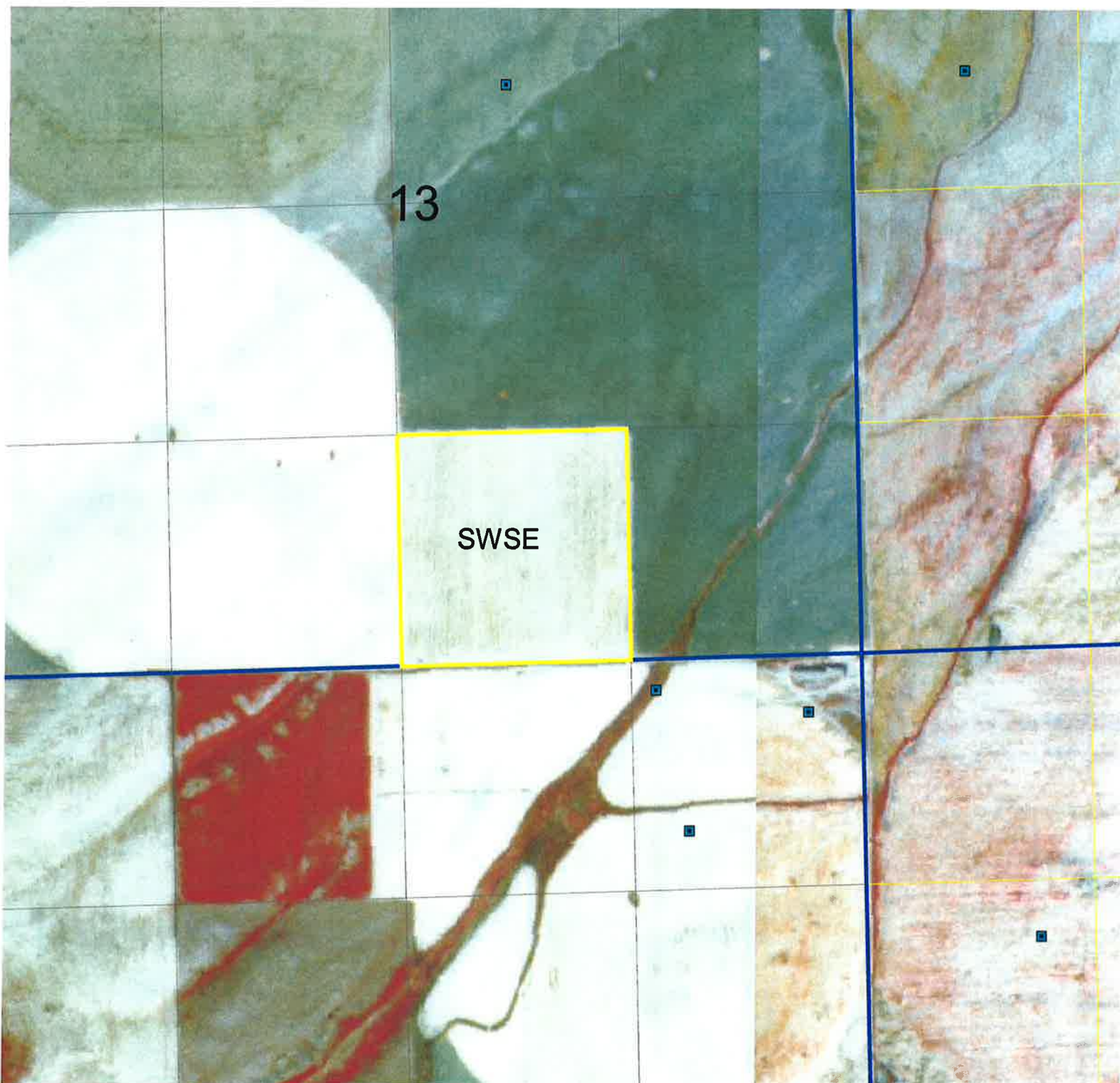
Field Exam Date: 7-09-04

Agent: A. Ruberry

See Exam notes in 22-12075.

C/O Attached

22-7140B





State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

October 11, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Ben and Warren Kaufman, dba
Rt. #1, Box 3830
Driggs, ID 83422

RE: A22-07140B, A22-07164, A22-12075, A22-12079,
A22-00464, A22-12077, A22-00465.

Dear Claimants:

Notice of the change in ownership of the above-referenced water rights has been received. The Claims to Water Rights records of the Department have been changed to reflect such notice.

Claims prepared from the Department's computer are enclosed for your review and records. If you find the address is incorrect, please contact us. Our staff is willing to discuss any other questions you may have regarding these Notices.

Sincerely,

Ernest Carlsen,
Water Rights Supervisor, Adjudication Bureau

EC:jt

Enclosure

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OCT 29 1992

RECEIVED
OCT 05 1989

Department of Water Resources
Eastern District Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

☒ Water Right Number(s): A22-07140B

☒ Name and Address of Former Claimant: Valley Bank

P.O. Box 51270

Idaho Falls, Idaho 83405-1270

☒ New Claimant(s): Ben Kaufman and Warren Kaufman dba

Kaufman Brothers Joint Venture

☒ New Mailing Address: Rt. #1, Box 3830

Driggs, Idaho 83422

☒ New Telephone Number: (208) 354 - 2262

☒ Does the change in ownership result in a splitting of the water right claimed? yes XX no

If yes, then describe the portion of the water right that is now claimed by the new owner:

☒ Attach proof of ownership
Describe proof attached:

☒ Signature of ^{Original} ~~New~~ Claimant(s): Valley Bank

by: Richard C. Swager, Jr.
Richard C. Swager, Jr., Collection Officer

Date: October 4, 1989

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-5-89 By: EBV

Further Action Needed: NONE

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10/10/89 By: EB

Claim Numbers of Split, if any:

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OCT 29 1989

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: A22-07140B
Date Received: 10/03/1988
Receipt No: 6002903
Received By: SSV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VALLEY BANK 208-525-6200
Address: P.O. BOX 51270
C/O BANK 2
IDAHO FALLS, ID 83405-1270

2. Date of Priority: JUN 30, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	24	SW	NE	NE		TETON

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

7. Total Quantity Appropriated is:
0.800 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	Lot	Use	Acres
06N	44E	13	SW	SE		IRR	39.0
Section Acres							39.0

A22-07140B

Page 1

Date: 10/03/88

A2207140B



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OCT 29 1992

10. Place of Use: Continued

Total Acres 39.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

22-07161, DECREEED FROM BADGER CK. EXPANDED RTS. CLAIMED

14. Remarks:

SUBJECT TO LICENSING REVIEW BY IDWR. CLAIM BASED UPON FINDINGS
BY KCW FIELD EXAM DONE 8/13/1985.

15. Basis of Claim: PERMIT

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OCT 29 1992

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 Organizations:

I do solemnly swear or affirm that I am Senior Vice President of _____

Title

Valley Bank

Organization

, that I have signed the foregoing document in the space below as Senior Vice President of _____

Title

Valley Bank

Organization

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

Thomas G. Morrow

Signature of Authorized Agent

Senior Vice President - Valley Bank

Title and Organization

October 4, 1988

Date

State of Idaho)

) SS.

County of Bonneville.)

Subscribed and sworn (or affirmed) before me this 4th day

of October 19 88.

Katie A. George
Notary Public

Seal

Residing at Idaho Falls, Idaho

My Commission Expires 3/1/91

