

11/25/2002

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

RIGHT NUMBER: 29-2267

NAME AND ADDRESS: FALLS IRRIGATION DIST
310 VALDEZ ST
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.440 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 580 AF. COMBINED RIGHT NOS.: 29-2614, 29-13389 AND
29-13427

PRIORITY DATE: 10/16/1949

POINT OF DIVERSION:

T08S R30E S28 SENE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.440 CFS

PLACE OF USE: IRRIGATION Within POWER County

T08S R30E S21	NESE	7.0	T08S R30E S21	NWSE	3.0
T08S R30E S21	SWSE	4.0	T08S R30E S21 Lot 2	SWSE	22.0
T08S R30E S21 Lot 1	SESE	44.0	T08S R30E S28	NENE	31.0
T08S R30E S28	NWNE	34.0			

145 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

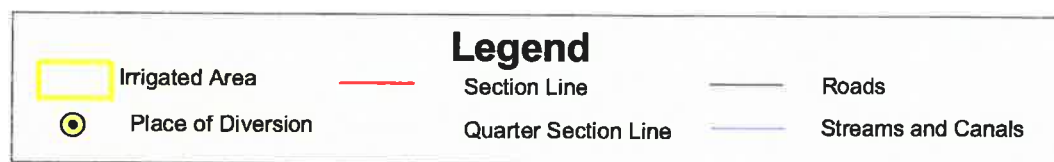
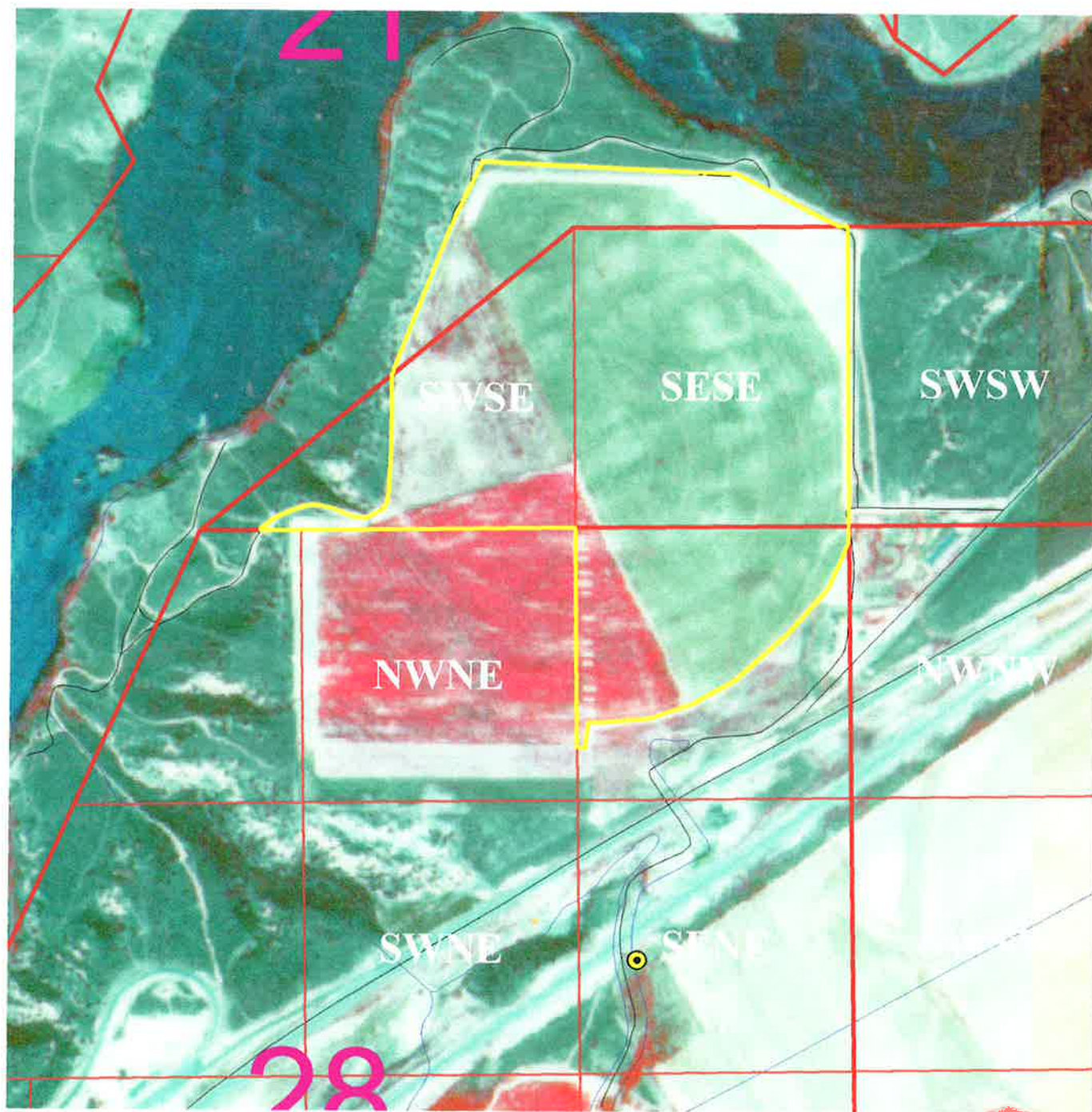
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-2614, 29-13389 AND 29-13427

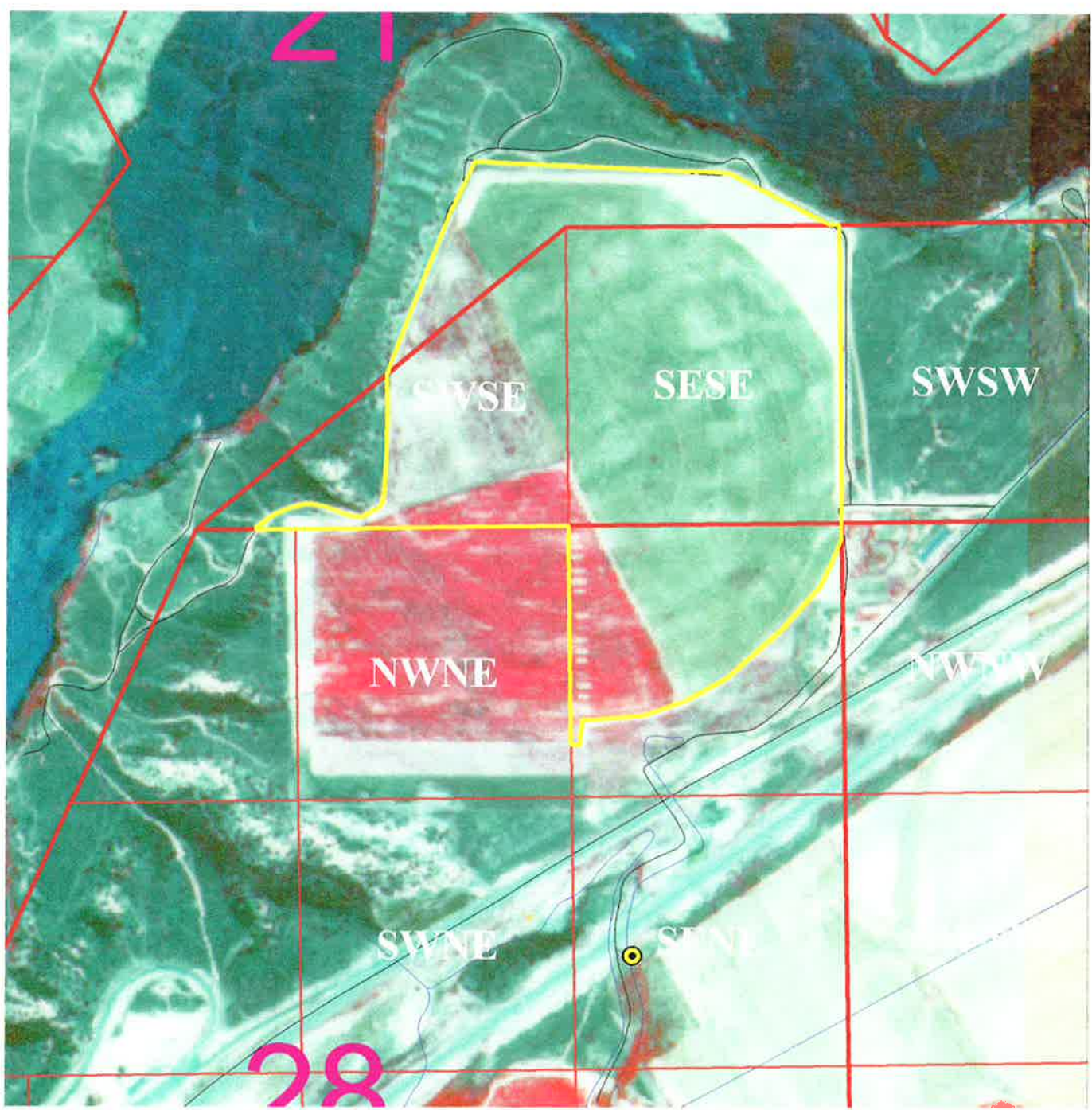
Township , 8S30E



300 0 300 600 Feet



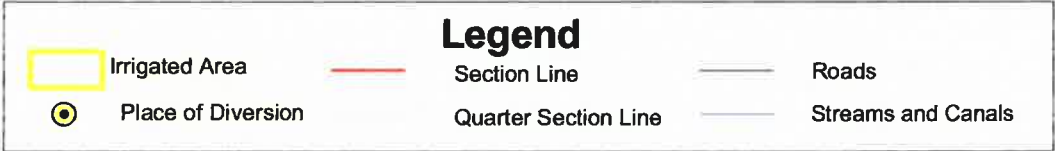
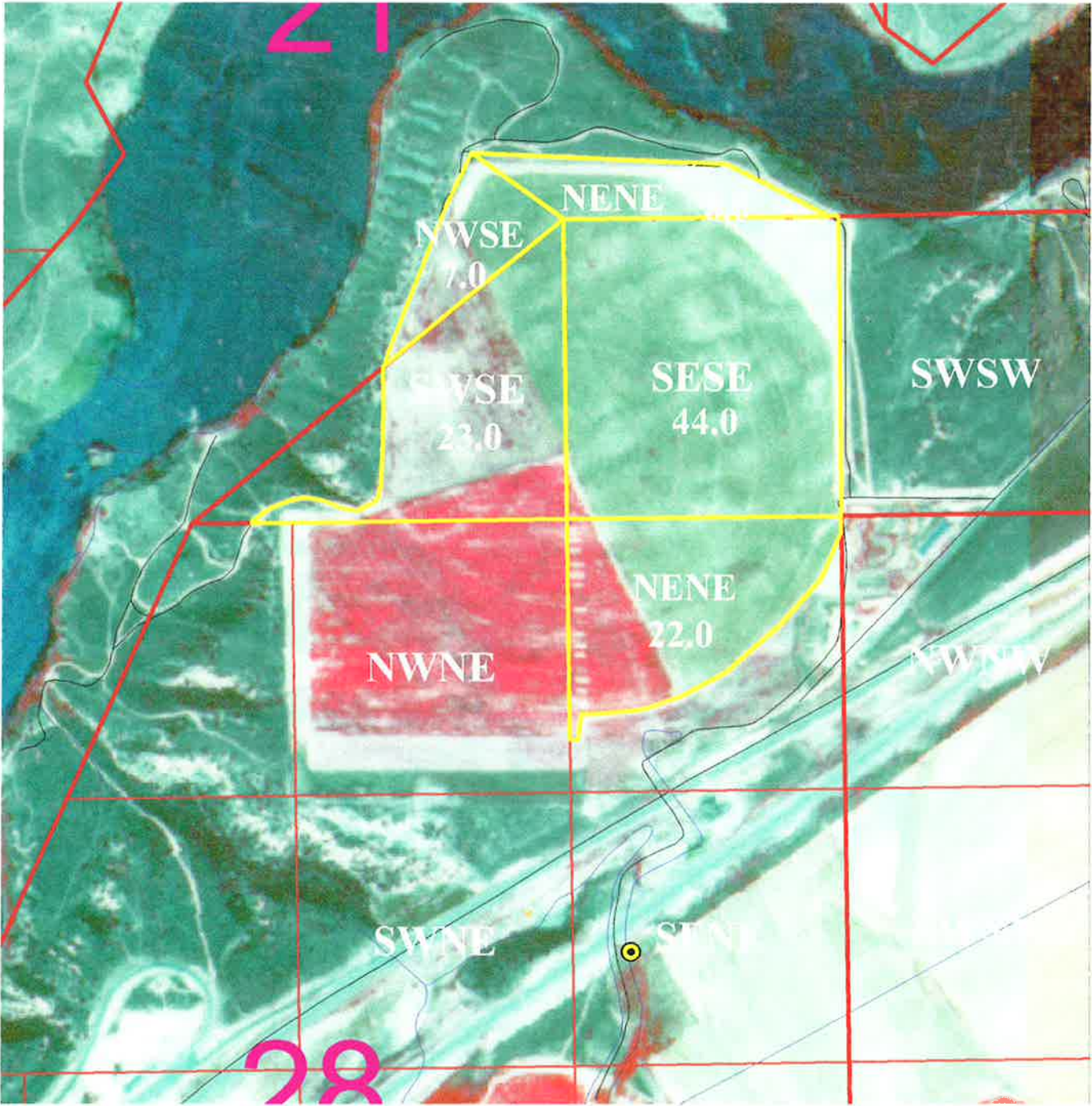
Township , 8S30E



Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



Township , 8S30E



300 0 300 600 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

WATER RIGHT NUMBER: 29-2267 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BEN G KOPP
Present Owner	AMERICAN FALLS, ID 83211 FALLS IRRIGATION DISTRICT 310 VALDEZ ST AMERICAN FALLS, ID 83211 (208)226-5227
Attorney	LING & ROBINSON C/O ROGER D LING PO BOX 396 RUPERT, ID 83350-0396 (208)436-4717
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE, ID 83706-1234 (208)378-5322

Priority Date: 10/16/1949

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	04/01 to 10/31	0.440 CFS	
	<u>Total Diversion:</u>	0.440 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 28, Twp 08S, Rge 30E, B.M.
POWER 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	
06S	31E	35													X		X	X	
06S	31E	36	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	
						L 1			L 2										
06S	32E	29			X	X			X	X	X	X	X	X	X	X	X	X	
					L 2	L 6									L 7	L 3	L 4	L 8	

Adjudication Recommendation Report 29-2267 V1

[illegible]

Adjudication Recommendation Report 29-2267 V1

[illegible]

Adjudication Recommendation Report 29-2267 V1

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

08S 31E 9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 31E 10		X			X	X	X			X	X						
08S 31E 16	X	X															
08S 31E 17	X	X			X	X	X	X	X	X	X	X			X		
08S 31E 18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
						L 1	L 2			L 3	L 4						
08S 31E 19						X	X			X	X						
						L 1	L 2			L 3	L 4						
08S 31E 30										X	X						
										L 3	L 4						
08S 31E 31							X			X							
							L 2			L 3							
09S 30E 1	X	X			X	X											
	L 1	L 2			L 3	L 4											
09S 30E 2	X	X			X												
	L 1	L 2			L 3												

Total Acres: 12621

Conditions of Approval:

1. 127 Place of use is within the boundary of Falls Irrigation District pursuant to Section 43-323, Idaho Code.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.

Remarks:

1. Name/Address The beneficial use of the water represented hereby is for the landowners within the Falls Irrigation District pursuant to Contract No. 14-06-100-851, dated December 9, 1955 (as may be supplemented or amended) between the United States of America through the U.S. Bureau of Reclamation and the Falls Irrigation District for irrigation and other permitted purposes as authorized by the Act of August 31, 1954, Ch. 1159, 68 Stat. 1026, of the Michaud Flats Project.
2. Place of Use - Irrigation The rights listed below are limited to the irrigation of a combined total of 12,621 acres in a single irrigation season. Combined right nos. 01-13, 01-2061, 01-2064, 01-2068, 01-4051, 29-2262, 29-2267, 29-2288, 29-2306, 29-2307, 29-2310, 29-2341, 29-2380, 29-2568, 29-2614, 29-10044, 29-11167, 29-11168, 29-11169, 29-11170, 29-13388, 29-13389, 29-13426, 29-13427.
3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 580 AF. COMBINED RIGHT NOS.: 29-2614, 29-13389 AND 29-13427

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-2614, 29-13389 AND 29-13427
5. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments: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

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	11/25/2002 10:00:27 AM	pmeyer			Active
POD	11/25/2002 10:04:31 AM	pmeyer			Active
POD	11/25/2002 10:05:12 AM	pmeyer			Active
Source	11/25/2002 10:05:29 AM	pmeyer			Active
POU	11/25/2002 10:06:47 AM	pmeyer			Active
Use	11/25/2002 10:09:30 AM	pmeyer			Active
Season	11/25/2002 10:11:01 AM	pmeyer			Active
Season	11/25/2002 10:11:23 AM	pmeyer			Active
Quantity	11/25/2002 10:12:21 AM	pmeyer			Active
Summary			11/25/2002	pmeyer	Active
Summary			11/25/2002	pmeyer	Active
Summary			06/04/2003	dshaff	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

Summary	6/4/2003 11:17:43 AM	dshaff	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Priority Date	11/25/2002 10:00:28 AM	pmeyer	(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?
Use	11/25/2002 10:09:32 AM	pmeyer	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	11/25/2002 10:04:32 AM	pmeyer	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

POD	11/25/2002 10:05:14 AM	pmeyer	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - POD moved to Well 16
POU	11/25/2002 10:06:49 AM	pmeyer	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - POU served by Well 16 Description for Question 13 - 1987 NAPP overflights
Season	11/25/2002 10:11:24 AM	pmeyer	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

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Quantity	11/25/2002 10:12:22 AM	pmeyer	(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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Combined afa for all rights is 145 acres * 4.0 afa/ac. = 580 afa.
Summary	11/25/2002 10:14:14 AM	pmeyer	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Summary	11/25/2002 10:18:26 AM	pmeyer	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	11/22/2002 11:08:58 AM	pmeyer	Edited shape boundary
POD	11/22/2002 12:14:55 PM	pmeyer	Edited point location
POU	11/22/2002 12:18:15 PM	pmeyer	Edited shape boundary
POU	11/22/2002 12:18:49 PM	pmeyer	Edited PLS
Source	11/25/2002 10:05:31 AM	pmeyer	(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? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2267 V1

Season	11/25/2002 10:11:02 AM	pmeyer	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use?
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June 17, 2003

FALLS IRRIGATION DISTRICT
310 VALDEZ ST
AMERICAN FALLS ID 83211

KATHLEEN CARR
US DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
550 W FORT ST
BOISE ID 83724-0020

RE: Snake River Basin Adjudication (SRBA)
Preliminary Director's Reports – Basin 29
Notices of Claim #29-2262, 29-2288, 29-2267, 29-2306, 29-2307, 29-2310,
29-2341, 29-2380, 29-2568, 29-2614, 29-11167, 29-11168, 29-11169,
29-13388, 29-13389, 29-13426 and 29-13427

Dear Claimants:

The Preliminary Director's Reports for water rights claimed by both BOR and Falls Irrigation District were sent to you under separate cover. Please review these reports and reply before June 30, 2002, to Ernie Carlsen in the Idaho Falls office of IDWR (208/525-7161 or ecarlson@idwr.state.id.us).

Your prompt reply to Mr. Carlsen will allow the staff to move forward with the task of compiling and publishing the many parts of the Director's Report.

Sincerely,

Donald V. Shaff
Manager
Adjudication Technical Section

DVS:ss:region
cc: Dala Walton, BOR
E. Carlsen, IDWR
R. Ling

SCANNED

JAN 12 2006

PROFILED

02/18/2003

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: April 21, 2003

Water right number: 29-2267

FALLS IRRIGATION DIST
310 VALDEZ ST
AMERICAN FALLS ID 83211
Telephone Number: (208)226-5227

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4/21/03 SIGNATURE: Terrell Sorensen
Please print your name: Terrell Sorensen

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

RECEIVED

APR 22 2003

Department of Water Resources
Eastern Region

SCANNED

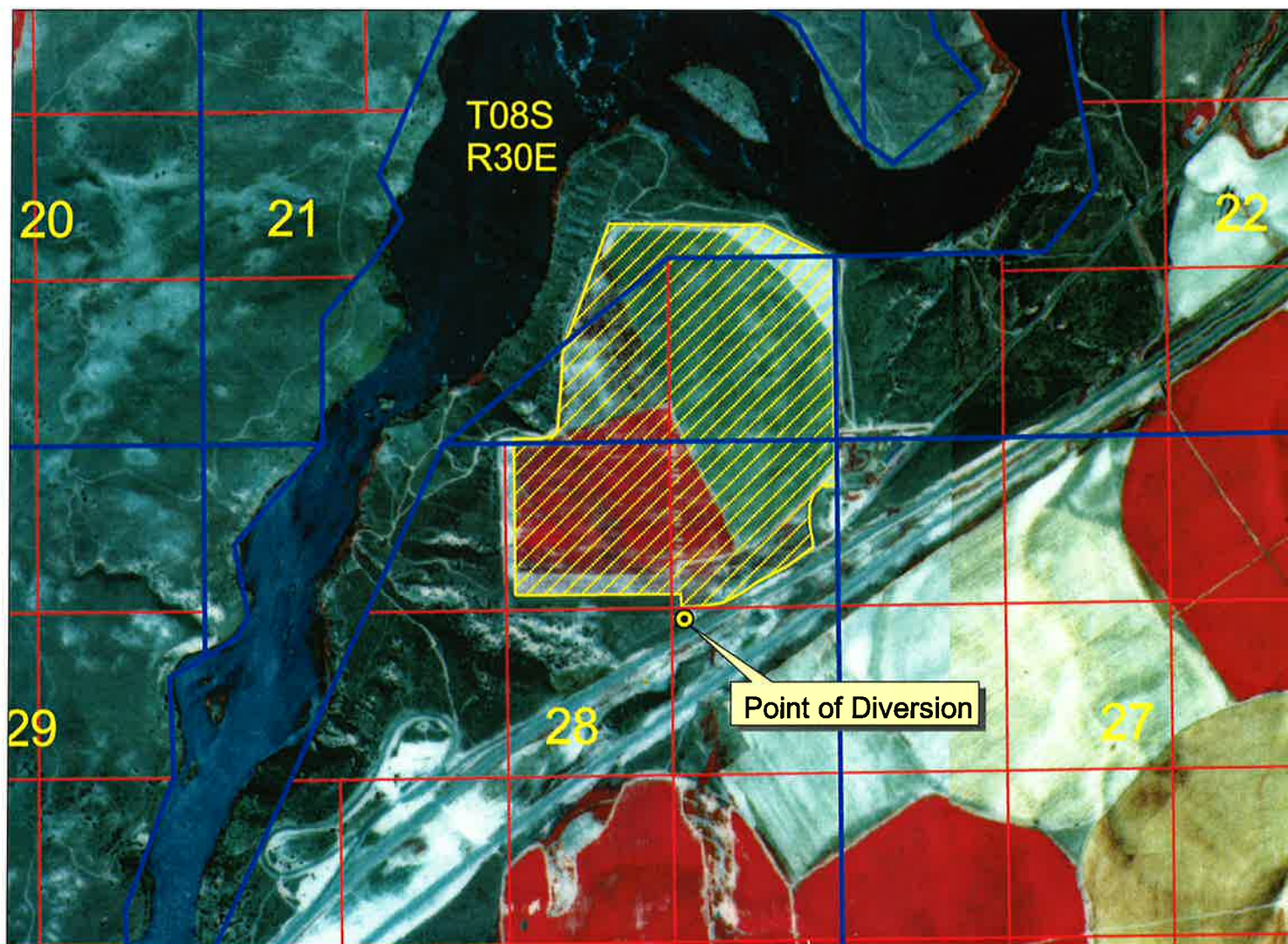
JAN 12 2006

RECEIVED

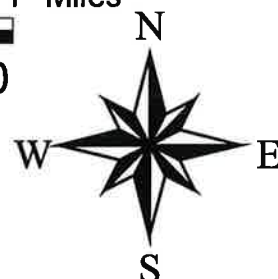


**State of Idaho
Department of Water Resources
Eastern Region**

**Water Rights: 29-2267, 29-2614,
29-13389, 29-13427**



1:16000



-  **Point(s) of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**

PROFILED
SCANNED

JAN 12 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: November 2002

SCANNED

MAY 10 2001

Log for claim A29-02267

Spatial Dynamics AMH

6/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s30e	21	NENE	9	8	
08s30e	21	NWSE	4	7	
08s30e	21	SWSE	18	23	
08s30e	21	SESE	35	44	
08s30e	28	NENE	15	22	
Totals:			81	104	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FALLS IRRIGATION DISTRICT 310 VALDEZ ST AMERICAN FALLS ID 83211 (208) 226-5227	10/16/1949	IRRIGATION	04-01 11-01	0.440 CFS	
					TOTAL DIVERSION:	0.440 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R30E S28

SENE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	30E	21	:																	:	67.7
08S	30E	28	:	15																:	15.3
																				TOTAL ACRES	83.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: A29-02380, 35-02302, 35-02212, 35-02170

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A01-04051 A29-02571 A29-02614 A29-10044 A29-11337

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02380A A29-02567 A29-02571 A29-02614

Remarks: GEN P/U 40 ACRES WITHIN FALLS IRRIGATION DISTRICT
CAPACITY 3 SECOND FEET
CONSUMPTIVE USE 3.0 ACRE FEET/ACRE
***A CHANGE IN THE POD AND POU UNDER THE LICENSES APPURTENANT TO
THE ABOVE GROUND OCCURRED ON 10-18-79. JT***

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/16/89 BOR2 02/24/93 FRAZEE 09/20/93 THOMPSON

State of Idaho

License and Certificate of Water Right

Water License No. 19977

Amount .44 second foot

Water District No. _____

Priority October 16, 1949

THIS IS TO CERTIFY that BEN G. KOPP
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 5, 19 46; that Permit No. 19977
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on January 10, 19 52, showing that said works
were completed on the 3rd day of January, 19 52; and that on the 30th
day of October, 19 54, BEN G. KOPP

of American Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
A/WWWWWW/WW (subterranean flow), for the purpose of irrigation and domestic,
under Use Permit No. 19977 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5855, on the 5th day of November, 19 56;

The right hereby confirmed dates from October, 16, 19 49;

The Point of Diversion is located
in the 3W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Tp. 7 S. R. 31 E., B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .44 cubic ~~foot~~ per second.

Description and location of use:

Twp	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	31 E.	14	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	--
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	--
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	--
			Total Number of Acres Actually Irrigated --		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
5th day of November, 19 56.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

20 2207

Application No. 27545
Permit No. 19977
District No.

1. Name of Applicant: BEN G. KOPP

Postoffice address: American Falls

County: Power

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Three (3) cubic feet per second.

3. Source of water supply: Subterranean flow (well) which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 14 , T. 7 S. , R. 31 E., B.M., County of Power

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$4,000.00

8. Kind of works: Well, pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 2 miles.

Average grade per mile 5 feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application _____ Storage Permit and Name of Applicant: _____

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

BEN G. KOPP

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:15 A. M. December 5, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19977

Recorded in Book 72 Page 19977 Approved December 19, 1946

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before February 19, 1947 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 19, 1948

The whole of said work to be completed on or before December 19, 1949

Beneficial use of water appropriated in accordance herewith, to be made on or before December 19, 1949

Witness my hand this 19th day of December, 1946

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th

day of December 19 46

STATE OF IDAHO

Countersigned:

(SEAL)

By ARNOLD WILLIAMS

By IRA H. MASTERS

Governor.

Secretary of State.

Remarks: Applicant intends to drill a well approximately 14" in diameter, and 150 feet deep, operated with electric power.

14.

Twp.	Range	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	
7 S.	31 E.	14									40 40				40 40 40 40				240
14-A:	Existing water rights or valid permits appurtenant to the lands to be irrigated are..None.																		
APPROVAL OF STATE RECLAMATION ENGINEER. I, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19977 to January 1st, 1951. Witness my hand this 8th day of December, 1949. MARK R. KULP State Reclamation Engineer																			
APPROVAL OF STATE RECLAMATION ENGINEER I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19977 to December 19, 1951. Witness my hand this 15th day of December, 1950. MARK R. KULP																			

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that BEN G. KOPP of American Falls, County of Power, and State of Idaho, the holder of Permit No. 19977, issued upon Application No. 27545 bearing date of priority of December 5, 1946, authorizing the diversion of Three (3) second feet of the waters of subterranean flow from a well, County of Power, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of said well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, Township 7 South, Range 31 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 14, Township 7 South, Range 31 East, B.M.

Witness my hand this 10th day of January, A. D. 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made January 3, 1952.

Certificate of completion of works issued January 10, 1952.

Page 5855

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

Department of Lands and Surveys

Ben G. Kopp

Box 332, American Falls, Idaho

Permit No. 19977

Examination for Beneficial use

County Power

14 75. 31E

3cfs well

P.D. = SWSW. S14.

Prig & dom.

Dec 5 - 1956

Clear = blue 19-57

to 10-5

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19977

REPORT ON PROOF OF Beneficial Use

BEN G. KOPP, Box 332, American Falls, Idaho

*• 44 of 5
mex*

app-	3 45
fu-	30 45
sub-	1
acres-	40

SCANNED

MAY 12 2001

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: A29-02267

Date Received: 4/ 6/1990

Receipt No: E012943

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALLS IRRIGATION DISTRICT 208-226-5227
Address: 310 VALDEZ ST
AMERICAN FALLS ID 83211

2. Date of Priority: OCT 16, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	28		SE	NE		POWER

5. Description of diverting works:

WELL 16 OF THE FALLS IRRIG. DIST. PROJ. CONSISTING OF WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

7. Total Quantity Appropriated is:

0.440 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
08S	30E	21	NE	SE		IRR	9.8
			NW	SE		IRR	4.9
			SW	SE		IRR	18.0
			SE	SE		IRR	35.0

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APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	67.7
		28	NE	NE	IRR	15.3
					Section Acres	15.3
					Total Acres	83.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A29-02380, 35-02302, 35-02212, 35-02170

14. Remarks:

P/U 40 ACRES WITHIN FALLS IRRIGATION DISTRICT
CAPACITY 3 SECOND FEET
CONSUMPTIVE USE 3.0 ACRE FEET/ACRE

***A CHANGE IN THE POD AND POU UNDER THE LICENSES APPURTENANT TO
THE ABOVE GROUND OCCURRED ON 10-18-79. JT***

15. Basis of Claim: LICENSE

Water Right Number: 19977

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: _____

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APR 12 1994

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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APR 12 1994

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: A29-02267
Date Received: Post Mark 4-5-90
Receipt No: EO12943
Received By: SV

APR 6 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: Falls Irrigation District Phone: (208) 226-5227
Address: 310 Valdez Street
American Falls, ID 83211
2. Date of Priority: October 16, 1949
3. Source: Groundwater Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
8S	30 EBM	28	SE NE		Power
5. Description of diversion works:
Well 16 of the Falls Irrigation District Project consi
of a deep well and pump
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or) A.F.
Irrigation	April 1	Nov. 1	.44	
7. Total Quantity Claimed is:
.44 (C.F.S.) (and/or) (Acre Feet)
8. Total consumptive use claimed is:
Included in Claim under License 23753 Acre Feet per
Annum.
9. Non-irrigation uses:
None

A2902267



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APR 12 1994

10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
8S	30 EBM	28	NE	NE			15.3
		21	NE	SE			9.8
			NW	SE			4.9
			SW	SE			18.0
			SE	SE			35.0

Total number of acres irrigated. 83.0

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

Power

12. Do you own the property listed above as place of use? NO

13. Other water rights used at the same place and for the same purposes as described above.

35-2302 35-2212 29-02380 35-02170
Licenses G-23753; G-22559; G-26603; G-21477

14. Remarks:

A change in the Point of Diversion and Place of Use under the licenses appurtenant to the above ground occurred on October 18, 1979.

15. Basis of Claim: License

Water Right Number: 19977 29-2267

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 Organizations:

I do solemnly swear or affirm that I am President (Title), of Falls Irrigation District (Organization), that I have signed the foregoing document in the space below as President (Title) of Falls Irrigation District (Organization) and that the statements contained in the foregoing document are true and

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APR 12 1994

Last Name Falls Irrigation District

Ident. No.

correct.

Steve W. Isaac
Signature of Authorized Agent
President-Falls Irrigation Dist.
Title and Organization
April 4, 1990
Date

State of Idaho)
) ss.
County of Power)

Subscribed and sworn (or affirmed) before me this 4th day of
April, 1990.

(SEAL)

Roger D. Ling
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 10/30/94

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting
as attorney at law on behalf of the claimant signing the
above, and that all notices required by law to be mailed by
the director to the claimant signing above should be mailed
to me at the address listed below.

Signature: Roger D. Ling

Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: April 4, 1990

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APR 12 1994

Last Name Falls Irrigation District

Ident. No. _____