

11/14/2002

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

RIGHT NUMBER: 29-7066

NAME AND ADDRESS: AQUA LIFE INC
RT 5 BOX 5053
BUHL ID 83316

SOURCE: UNNAMED STREAM

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 44.770 CFS

PRIORITY DATE: 07/18/1971

POINT OF DIVERSION:

T06S R34E S6 SESESW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

01/01 12/31

44.770 CFS

PLACE OF USE: FISH PROPAGATION Within POWER County

T06S R34E S06

SESW

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.

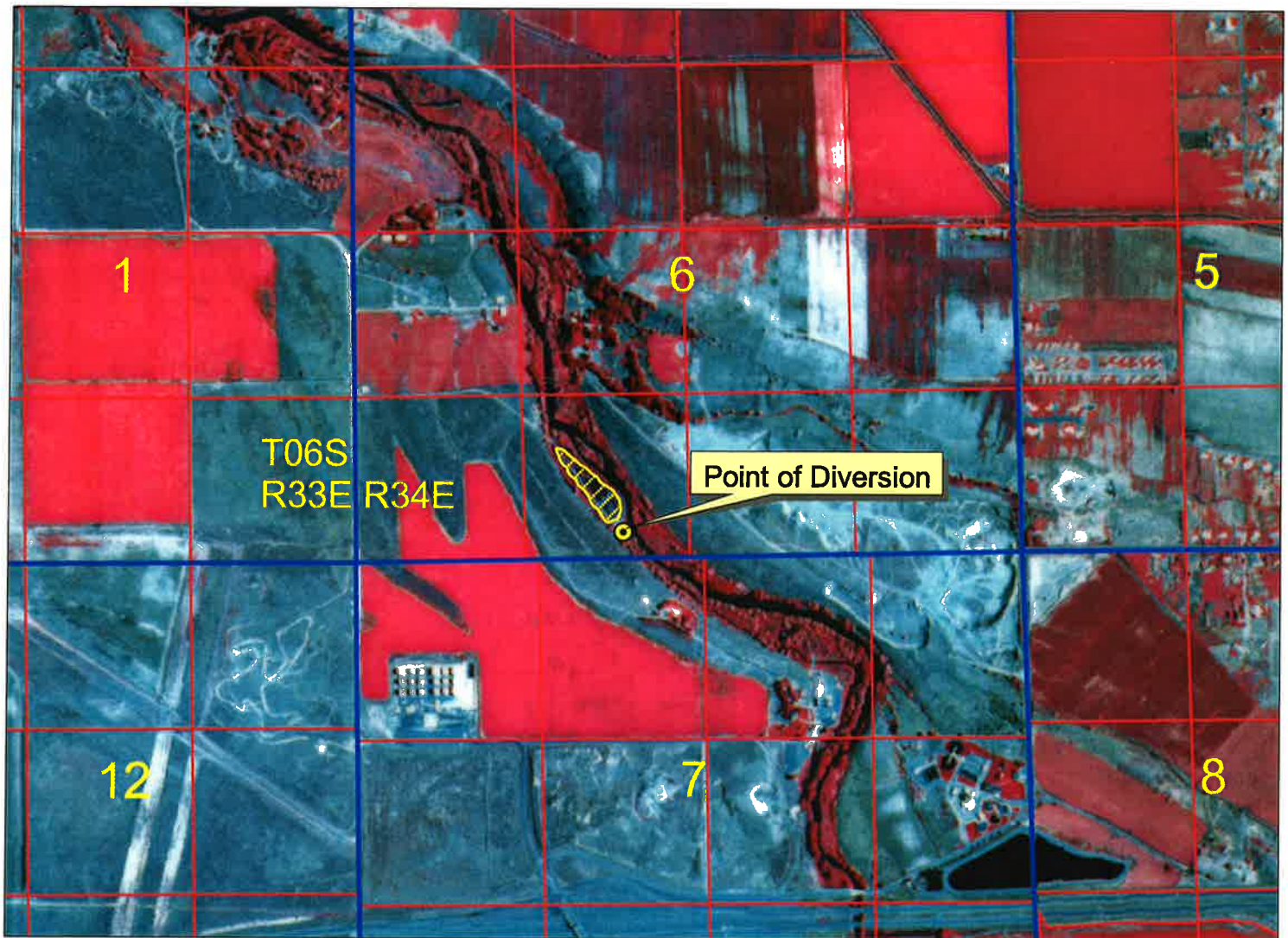
EXPLANATORY MATERIAL: License

Headwaters of source is Batiste Springs.

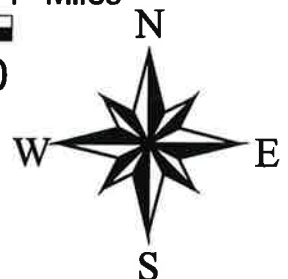


State of Idaho
Department of Water Resources
Eastern Region

Water Right: 29-07066



1:16000



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

PROFILED

SCANNED

APR 13 2006

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

Paul

02/21/2003

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: 29-7066

AQUA LIFE INC

RT 5 BOX 5053

BUHL ID 83316

Telephone Number: (208) 733-4250

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:

3-10-03

SIGNATURE:

Kenneth Ellis
Kenneth Ellis

Please print your name:

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

PROFILED

SCANNED

APR 13 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 21, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Aqua Life Inc.
C/O Robert Ellis
1128 E 4150 N
Buhl, Idaho 83316

Re: Correct Address, Adjudication Claim 29-7066, 29-12083, 29-12084

Dear Water Users:

We are beginning the review and recommendation of claims to water rights in Basin 29. We sent you the enclosed letter to invite you to an informational meeting, but many of our addresses are no longer correct. Your letter was returned to us by the post office. The East Water Measurement District provided me with the address above.

In state government, sometimes we have to work with silly regulations. Even though I now have your address, I need to you fill out the enclosed Notice of Change of Address so that I can "officially" update the computer database. This will allow future mailings to be sent to the correct location.

Please contact me if you have questions about this, or about the process of reviewing and recommending adjudication claims. I am difficult to catch up to, but I will return voice-mail messages eventually.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

PROFILED

SCANNED
APR 13 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED



AQUA L...
RT 5... 5053
BU... ID 83316

29-7066 - Fish
29-12083 - prop.
29-12084 (dom)

SCANNED
APR 13 2006
MAILING

Contor, Bryce

From: Contor, Bryce
Sent: Tuesday, June 19, 2001 4:58 PM
To: Klipfel, Terry; Ball, Dayna M.
Subject: address for Aqua Life or successors

We had some AJ mail to "Aqua Life Inc" come back undeliverable. Roger Ferguson has acquired the Papoose Springs facility (29-4012A and B) and I have contact with him. But the Batiste Springs facility (29-7066) I need to find current owner/operator.

The address I have is Rt. 5 Box 5053, Buhl. The phone number is 543-4312. It rings, but no answer.

Anyway, I'd appreciate what help either of you could give. Thanks.

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

Aqua Life c/o Ken Ellis

1128 E 450 N

Buhl ID 83316

(fr. EDWARD email)

FILED

SCANNED

APR 13 2006

MEMORANDUM

To: 29-7066
Fr: Bryce Contor
Date: 6/19/2001

Re: Ownership

Today I spoke with Steve Hart, accountant for Roger Ferguson/Crystal Springs, which owns the nearby Papoose Springs water rights formerly owned by Aqua Life, Inc. Aqua Life is the owner of record of these rights as well, but mail comes back undeliverable.

Mr. Hart told me that Ferguson/Crystal Springs does not own the Batiste rights. He believes Ken Ellis (of Aqua Life?) has sold the Batiste rights, but he does not know to whom.

FILED

SCANNED

APR 13 2006

SCANNED

MAY 19 2001

RECEIVED

JAN 30 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 29 1996

OFFICE OF THE
ATTORNEY GENERAL

C. TOM ARKOOSH
116 4th Ave. W.
P.O. Box 32
Gooding, ID 83330
Telephone: 208-934-8872

ATTORNEY FOR AQUA LIFE, INC.

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

In RE SRBA

)
) Case No. 39576
)
)

) NOTICE OF APPEARANCE
)

) AZ7-07013, -07020, -11377, -11378, -11379
) A29-07066, -12083, -12084

PLEASE TAKE NOTICE that the party in the above entitled
action, Aqua Life, Inc., hereby makes an appearance by and through
its attorney, C. Tom Arkoosh, and hereby requests all further
notices and pleadings in the above entitled action be sent to said
attorney.

DATED this 26th day of January, 1996.

Modified above A Records
and R27-07013, -07020

R29-12083, -12084

03-25-96.


C. TOM ARKOOSH

NOTICE OF APPEARANCE

-1-

MICROFILMED

NOV 13 1999

COPY

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of January, 1996, I served a true and correct copy of the foregoing document upon the following person, by causing to be deposited a copy thereof in the United States Mail, first class postage prepaid:

Clerk of the District Court
Snake River Basic Adjudication
253 Third Avenue N.
P.O. Box 2707
Twin Falls, ID 83303-2707

Scott Campbell
Elam & Burke
702 W. Idaho, P.O. Box 1539
Boise, ID 83701

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

US Dept. of Justice
Environment and Natural Resource Division
550 W. Fort Street, Box 33
Boise, ID 83724



C. TOM ARKOOSH

MICROFILMED

NOV 13 1996

MAY 10 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

RECEIVED

MAY 28 1990

Ident. Number: A29-07066

Date Received: 5/25/1990

Receipt No: S012346

Received By: SC

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
Eastern District Office ACQUIRED UNDER STATE LAW

1. Name: AQUA LIFE INC. 208-543-4312
Address: RT. 5 BOX 5053
BUHL, ID 83316

2. Date of Priority: JUL 18, 1971

3. Source: BATISTE SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	6	SE	SE	SW		POWER

5. Description of diverting works:
PONDS & RACEWAYS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	44.770		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/COMMERCIAL FISH

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	34E	6	SE	SW		FISH	

11. Place of use in counties: POWER

A29-07066

Page 1

Date: 05/25/90

MICROFILMED

NOV 13 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

SOURCE ORIGINALLY GIVEN AS BAPTISTE; MAY BE AKA BATISE.
PROPERTY OWNED BY ROLLANDS INC., USED ON LEASE.

15. Basis of Claim: LICENSE

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 _____ of
Title

Agua Vida Inc., that I have signed the foregoing
Organization
document in the space below as _____ of
Title

Agua Vida Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

[Signature]
Title and Organization

5-25-90
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day

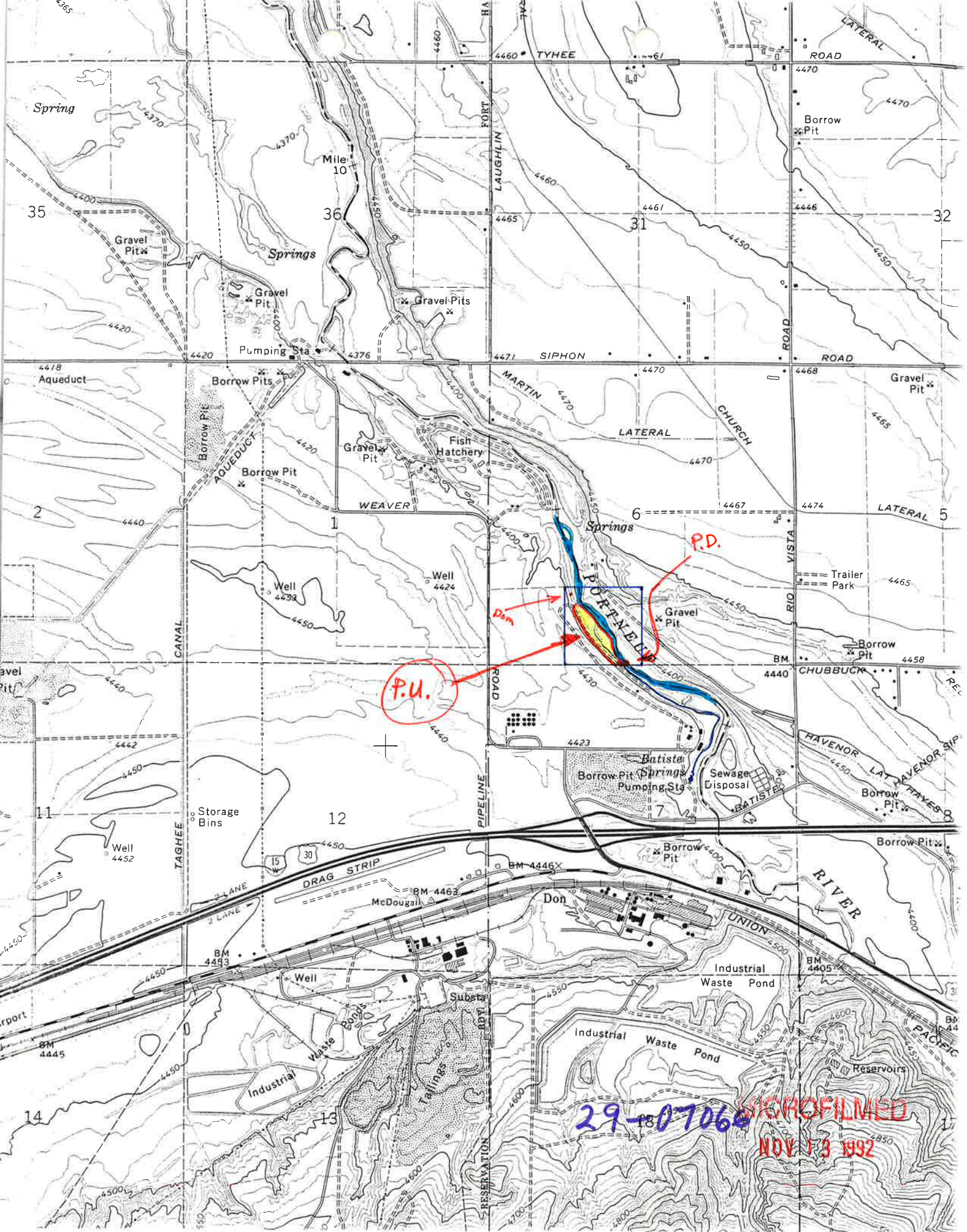
of May 19 90

Steve C. Hill
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994



P.U.

P.D.

29-07068 MICROFILMED
NOV 13 1992