

09/17/2002

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

RIGHT NUMBER: 29-10053

NAME AND ADDRESS: SHAWN DEPPE TRUST
C/O ESTHER TURNER TRUSTEE
1355 DOUGLAS LN
POCATELLO ID 83204

SHANE DEPPE TRUST
C/O ESTHER TURNER TRUSTEE
1355 DOUGLAS LN
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.13 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-02489B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.63 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 156 AF.

PRIORITY DATE: 07/28/1968

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T06S R33E S4 SENWNE Lot 2 Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.130 CFS

PLACE OF USE:

T06S R33E S04

SWNE

36.0

T06S R33E S04

NWSE

8.5

44.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02489C IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 44.5 ACRES IN A SINGLE IRRIGATION SEASON.

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

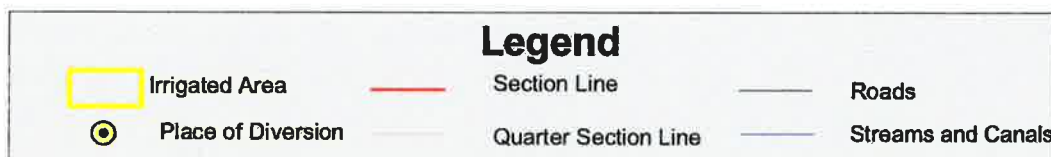
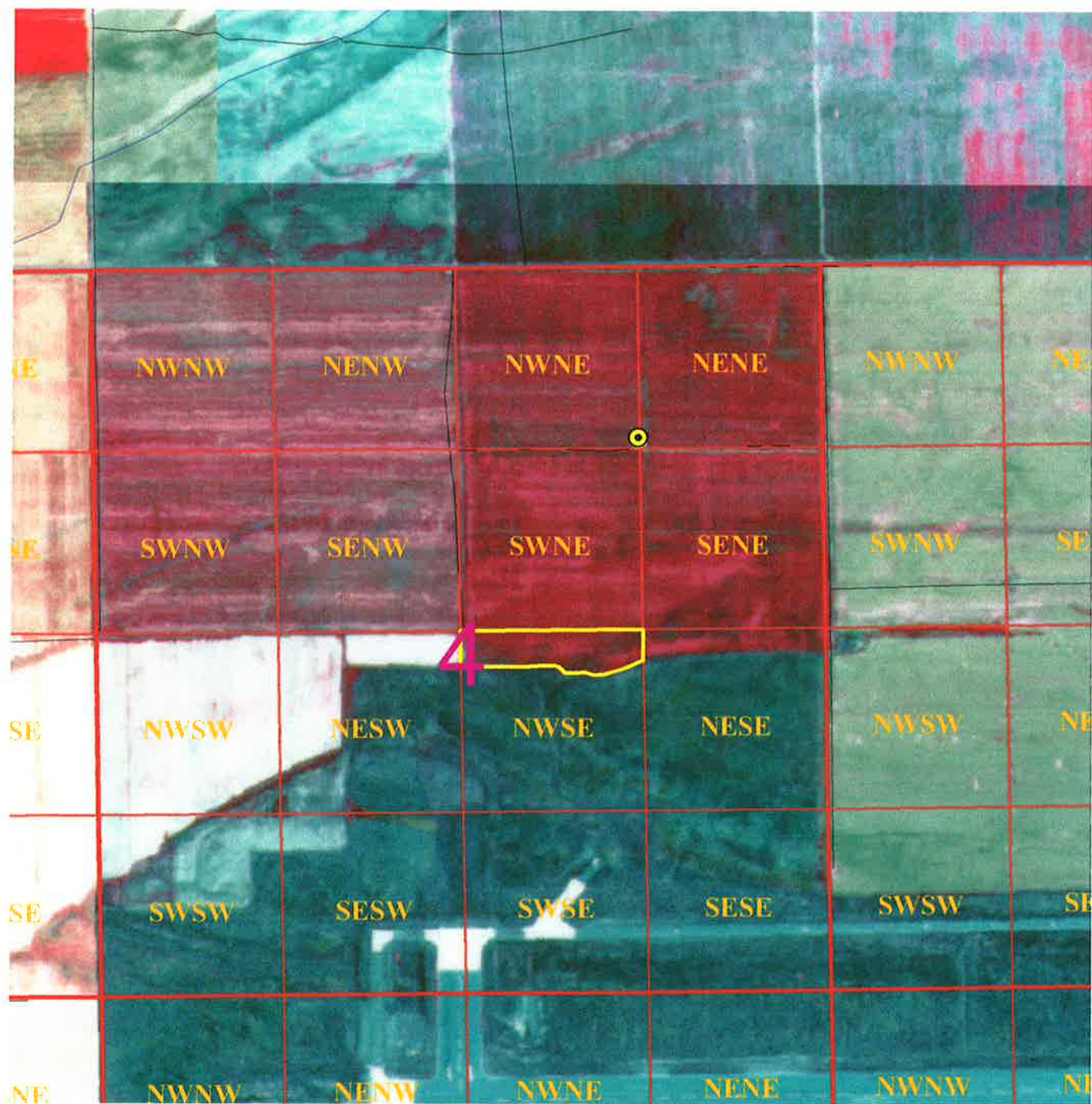
rights This partial decree is subject to such general provisions necessary for the
definition of the rights or for the efficient administration of the water
as may be ultimately determined by the Court at a point in time no later than
the entry of a final unified decree. Section 42-1412(6), Idaho Code.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-2489C
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-2489A, 29-2489B, 29-2489C, 29-10054

THIS RIGHT IS FOR AN ENLARGEMENT OF 8.5 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

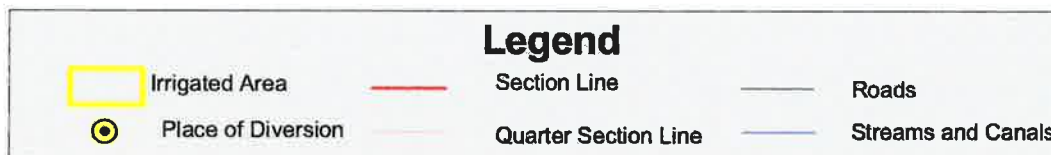
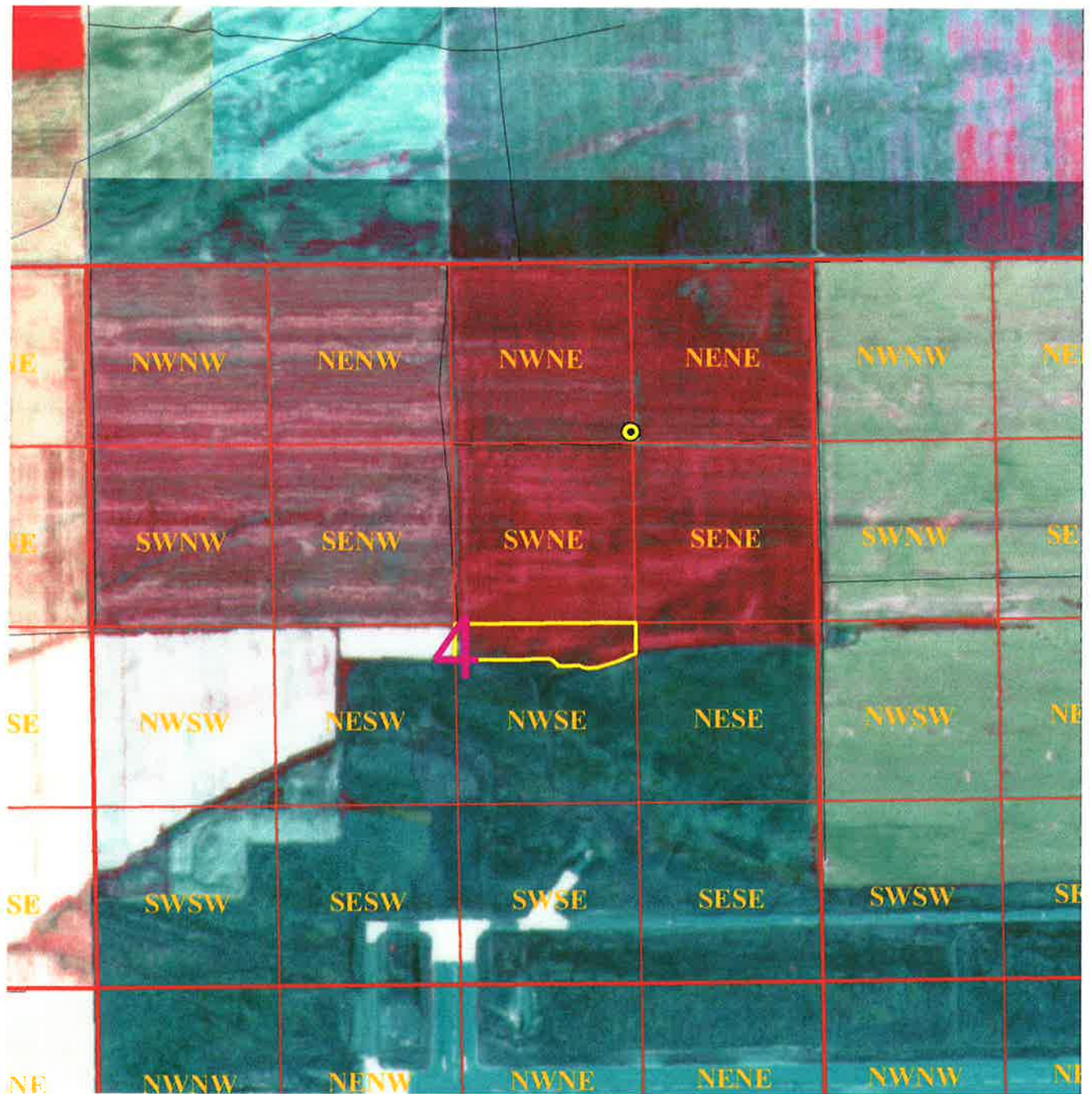
Township , 6S33E



900 0 900 1800 Feet



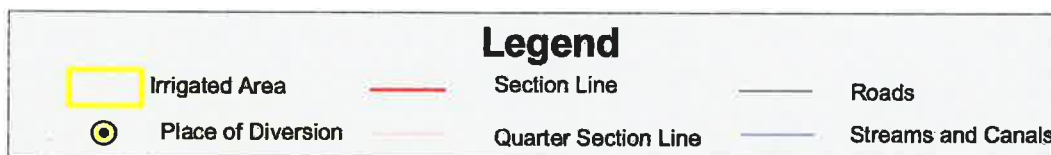
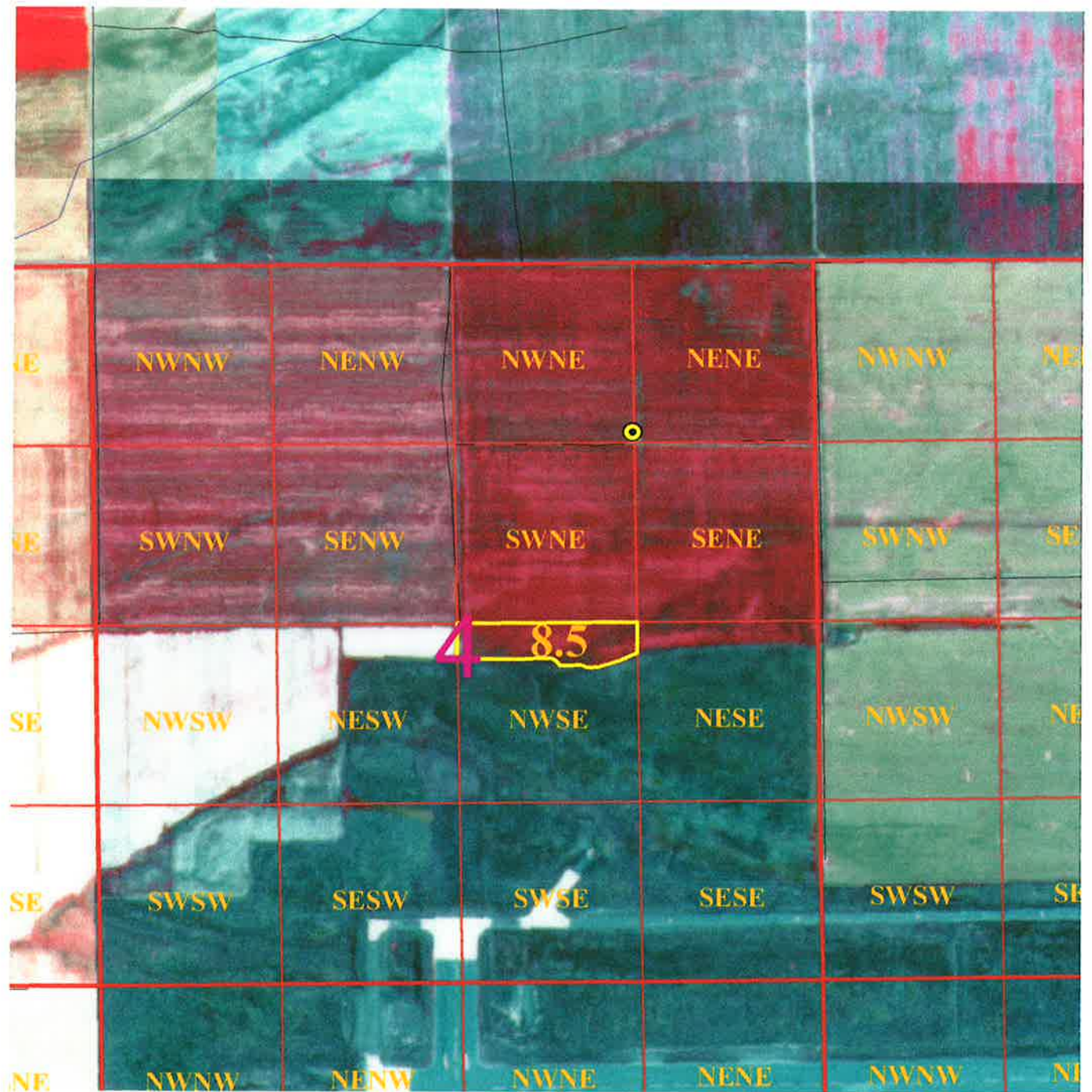
Township , 6S33E



900 0 900 1800 Feet



Township , 6S33E



900 0 900 1800 Feet



Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 7th day of December 2003 and the date of the last publication being the 24th day of December 2003.

Signed

Brett Crompton

State of Idaho

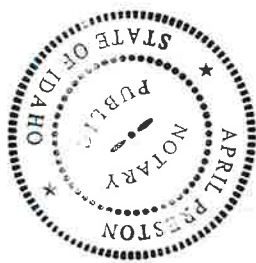
County of Power

On this 24th day of December in the year of 2003, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

RECEIVED

JAN 08 2004

Department of Water Resources
Eastern Region



April Preston
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

PROFIT

SCANNED
MAY 17 2006

Notice of water right enlargements

Published in The Power County Press Dec. 17, 24, 2003.

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Power County are shown to the nearest section — more specific locations are available upon request.

Water Right: 29-10053
NAME & ADDRESS: SHANE & SHAWN DEPPE TRUST
C/O ESTHER TURNER TRUSTEE
1355 DOUGLAS LN
POCATELLO ID 83204
SOURCE: GROUNDWATER
PRIORITY DATE: 07/28/1968
POINT OF DIVERSION: T06S R33E S04 LOT 2(SENWNE)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S R33E S04 SWNE
NWSE
This right is for an enlargement of 8.5 acres within the total 44.5 acres recommended.

Water Right: 29-10054
NAME & ADDRESS: ESTHER S TURNER
1355 DOUGLAS LN
POCATELLO ID 83204
SOURCE: GROUNDWATER
PRIORITY DATE: 07/28/1968
POINT OF DIVERSION: T06S R33E S04 SENWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S R33E S04 SENE NESE
This right is for an enlargement of 5.4 acres within the total 41.4 acres recommended.

Water Right: 29-10449
NAME & ADDRESS: VERNON D MAYER
770 FILLMORE ST
AMERICAN FALLS ID 83211
SOURCE: GROUNDWATER
PRIORITY DATE: 10/01/1984
POINT OF DIVERSION: T08S R30E S24 SENWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T08S R30E S13 NESE NWSE SESE
S24 NENE NWNE SWNE SENE
R31E S19 NENW NWNW SWNW
SENW
This right is for an enlargement of 74.0 acres within the total 324.0 acres recommended.

Water Right: 29-10502
NAME & ADDRESS: NEIBAUR & WEST FARMS PARTNERSHIP
C/O GRANT NEIBAUR
2374 NEIBAUR RD
AMERICAN FALLS ID 83211
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T07S R31E S25 NWNESE
S36 NESWNE
R32E S19 SESENW S30 NESWNW (2 POD's in this section)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T07S R31E S24 NESE SESE
S25 NENE NWNE SENE NESE SESE
S36 NENE NWNE SWNE SENE
R32E S19 NWNE SWNE SENE NENW
SENW
NESW LOT 3(NWSW) LOT 4(SWSW)
SESW NESE NWSE SWSE
S30 NWNE SWNE NENW LOT 1(NWNW)
LOT 2(SWNW) SENW
NESW
LOT 3(NWSW) LOT 4(SWSW) SWSE
S31 LOT 1(NWNW)
This right is for an enlargement of 101.0 acres within the total 736.4 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before March 25, 2004.

RECEIVED

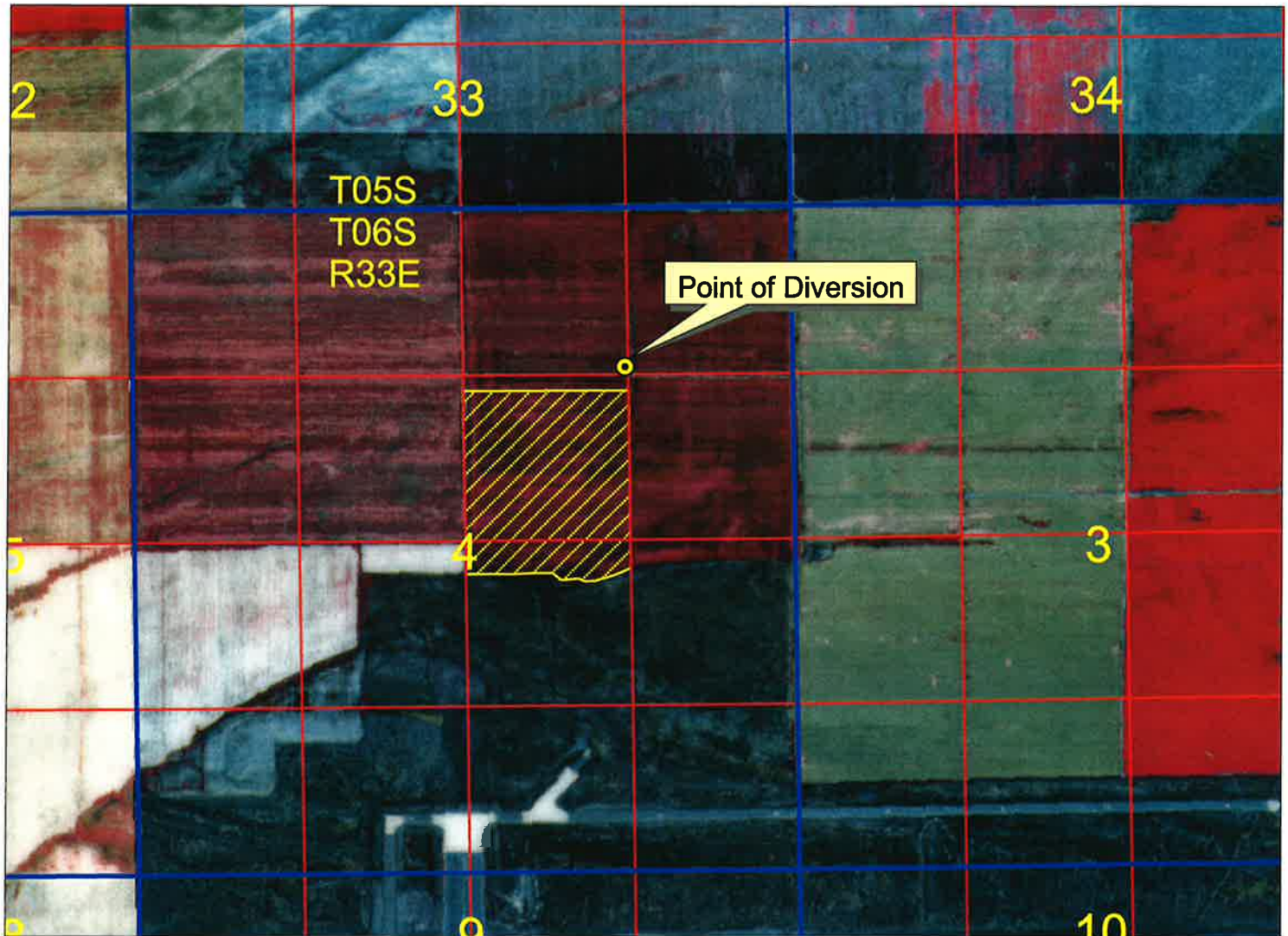
JAN 16 2004

Department of Water Resources
Eastern Region

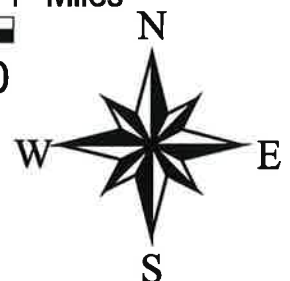


State of Idaho
Department of Water Resources
Eastern Region

Water Rights 29-2489C, 29-10053



1:16000



SCANNED
MAY 17 2006

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

PROFILED

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



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Vertical turbine irrigation system. System is indicative of a large claim rather than a small claim initially professed.

Assumptions

Pressure head and elevation head.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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SCANNED

MAY 14 2001

Log for claim A29-10053

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	4	NWSE	10	8.5	
Totals:			10	8.5	

DATE: 05/23/00
PAGE: 80

Audit: 04/06/89 VERNER 04/20/89 VERNER 07/29/94 THOMPSON 03/29/95 POST-STD

Water Right Number - A29-10053

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DEPPE TRUST

SHANE

1 - C/O ESTHER TURNER TRUSTEE
2 - 1355 DOUGLAS LN
3 -

City- POCATELLO State- ID Zip- 83204

Phone - 208-232-5232

DEPPE TRUST

SHAWN

1 - C/O ESTHER TURNER TRUSTEE
2 - 1355 DUGLAS LANE
3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-232-5232

*** O - ORIGINAL OWNER ***
WEAVER

DOUGLAS

1 -
2 -
3 -

City- N/A

State- ID Zip- 00000

Phone - 208-000-0000

+ - - Priority Date - - +
04/13/1964+ - - Region - - - +
ERROR IN REGION+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
06S	33E	4	SE NW NE	2	(77)	POWER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		0.130	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.130		30.0	

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	33E	4	NW SE		10.0	01	IRRIGATION	(77) POWER

Total Acres: 10.0

+ - - Diversion Means - WELL W/ PUMP INTO MAINLINE / SPRINKLER SYSTEM

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - THIS IS CLAIMED AS EXPANSION OF 29-02489.

MICROFILMED
NOV 13 1990

Water right number - A29-10053

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +

PROPERTY UNDER ORIGINAL PLACE OF USE HAS BEEN DIVIDED TO NEW OWNERS BY SETTLEMENT OF ESTATE OF WEAVER DOUGLASS. DEED INDICATES PROPERTY OWNERSHIP AS "UNDIVIDED ONE HALF INTEREST IN PROPRTY" BETWEEN THE TWO TRUSTS. THIS PORTION OF PROPERTY NOT INCLUDED UNDER ORIGINAL LICENSE. PROPERTY WAS PURCHASED AND IRRIGATED FROM WELL PER PRIORITY DATE.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E006931	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
NOV 13 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TO WHOM IT MAY CONCERN

THE PROPERTY AS DISCRIBE HERE IN AS NE 1/4 SEC 4 T6S R33 AND NORTH PARTIAL
OF SE 1/4 SEC 4 T6S R33 . THIS PROPERTY WAS BROKE OUT OF BRUSH AND
DEVELOPED IN 1965 AND FARMED AS IRRIGATED GROUND THAT YEAR. IT WAS
FARMED BY HERMAN FUNK AND H. ALAN FUNK. INCLUDED IS A ASCS MAP OF THE
PORPERTY.


H. ALAN FUNK

*ORIGINALS OF THESE Documents ARE HELD
IN 429-10054.*

MICROFILMED
NOV 13 1980

STATE OF IDAHO
County of Bingham

On January 16, 1995 H. Alan Funk
personally appeared before me, whom I know personally to be the
person who signed the attached document and he/~~she~~ proved he/~~she~~
signed it. This Notary Certificate is prepared on a separate page
and is attached to the document entitled No title (D.S. title) Idaho, Dept of
containing 1 pages and is attached to that document by Water Resources
means of staple. If this certificate is detached from
the specified document, this certificate is VOID.

(SEAL)

Pam A. M. Funk
Notary Public, State of Idaho
Residing at Aberdeen, Idaho
Commission Expires: 2/12/96

MICROFILMED
NOV 13 1990

MAY 14 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: A29-10053
Date Received: 4/06/1989
Receipt No: 600 6931
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHANE DEPPE TRUST ^{Edt} TURNER 208-232-5232
Address: C/O ESTHER DOUGLAS, TRUSTEE
1355 DOUGLAS LANE
POCATELLO, ID 83204

AND

Name: SHAWN DEPPE TRUST ^{Edt} TURNER 208-232-5232
Address: C/O ESTHER DOUGLAS, TRUSTEE
1355 DUGLAS LANE
POCATELLO, ID 83204

2. Date of Priority: APRIL 1, 1969 ^{Edt}
~~APR 13, 1964~~

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	4	SE	NW	NE	2	POWER

5. Description of diverting works:
WELL W/ PUMP INTO MAINLINE / 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	0.130		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-10053

Page 1

Date: 04/06/89

MICROFILMED
NOV 13 1992

A2910053



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	4	NW	SE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

THIS IS CLAIMED AS EXPANSION OF 29-02489.

14. Remarks:

PROPERTY UNDER ORIGINAL PLACE OF USE HAS BEEN DIVIDED TO NEW OWNERS BY SETTLEMENT OF ESTATE OF ~~TOMMY DOUGLAS~~ ^{ED.} ~~WEAVER DOUGLASS~~ DEED INDICATES PROPERTY OWNERSHIP AS "UNDIVIDED ONE HALF INTEREST IN PROPRTY" BETWEEN THE TWO TRUSTS. THIS PORTION OF PROPERTY NOT INCLUDED UNDER ORIGINAL LICENSE. PROPERTY WAS PURCHASED AND IRRIGATED FROM WELL PER PRIORITY DATE.

15. Basis of Claim: BENEFICIAL USE

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am Trustee of Shane Dwyer & Shawna Dwyer Trust Title

Shane Dwyer & Shawna Dwyer Trust that I have signed the foregoing Organization document in the space below as Trustee of Title

Shane Dwyer & Shawna Dwyer Trust and that the statements contained in the Organization foregoing document are true and correct.

Ernest Turner
Signature of Authorized Agent

Shane Dwyer & Shawna Dwyer Trust

Trustee
Title and Organization

April 19, 1989
Date

State of Idaho)
County of Bonneville) SS.

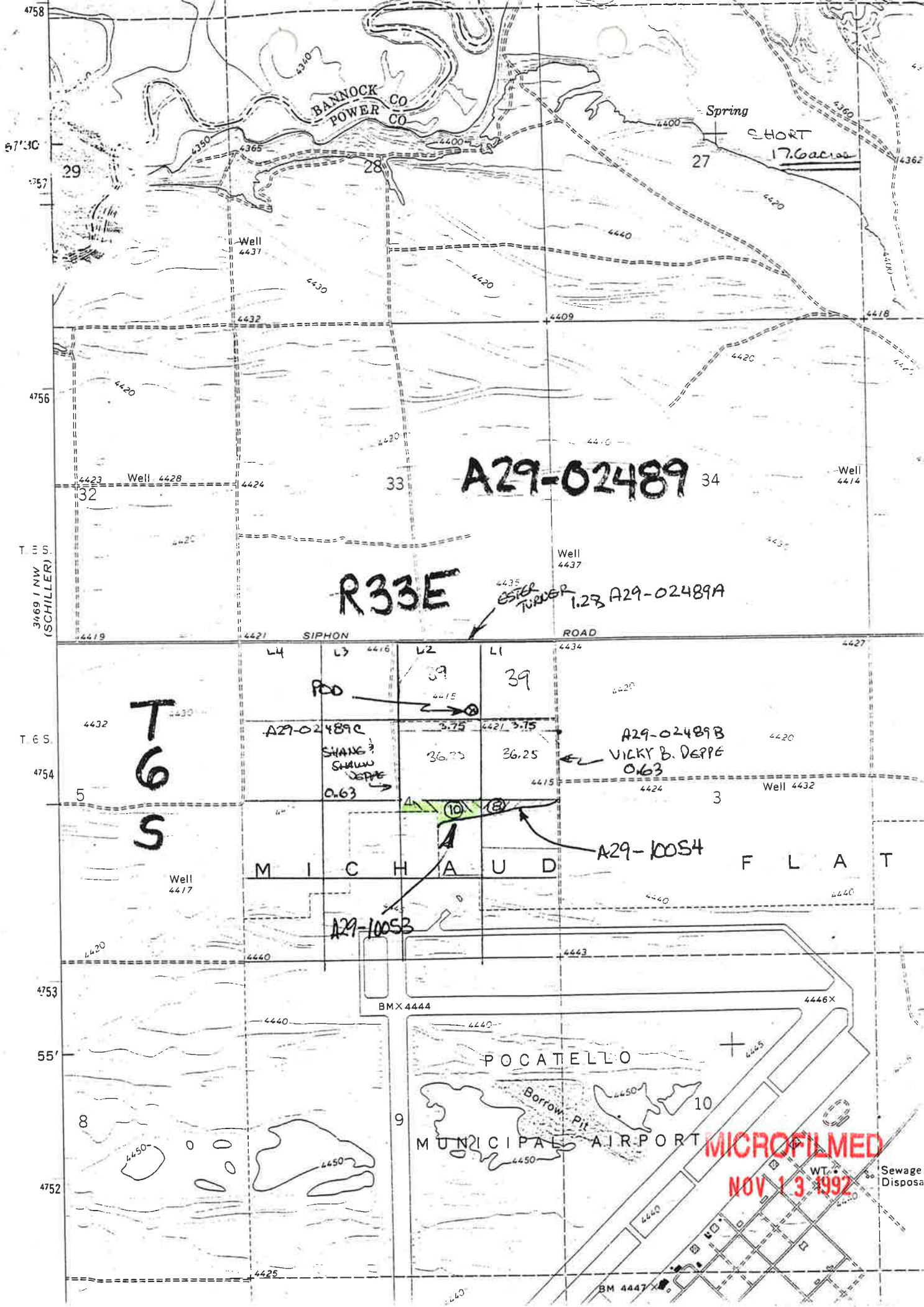
Subscribed and sworn (or affirmed) before me this 19 day
of April 19 89

Ernest Turner
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994



BANNOCK
POWER
CO
CO

Spring

SHORT
17.6 acres

Well
4437

Well
4428

Well
4414

Well
4437

R33E

ESTER
TURNER

1.23 A29-02489A

SIPHON
ROAD

T
6
S

A29-02489C

SHANK
SILVER
DEPPE
0.63

A29-02489B
VICKY B. DEPPE
0.63

A29-10054

A29-10053

BMX 4444

4446X

POCATELLO

Borrow
Pit

MUNICIPAL AIRPORT

MICROFILMED
NOV 13 1992

WT.
Sewage
Disposal

BM 4447 X

NOT TO SCALE

MICROFILMED
NOV 13 1992

B-944
Ed Smith
(City of Toronto)

B
1399

17/16

R 336

A29-02489

B-455

W6-1

Creeland area

A-175.6

1377

203.1

H. Allen Thine
A-534

A
1756

40

40

39

39

Sylvan Rd.

32/33
5/4

33

33/34
4/3

Queens

Twpl



A29-10053
PLACE OF USE

A29-10053

PLACE OF USE

5/4
8/9

4/3
9/10

8/9
17/16

9/10
16/15

MICROFILMED

NOV 13 1979