

06/30/2006

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

RIGHT NUMBER: 75-143B
NAME AND ADDRESS: WENDY R VINCI
3211 CHELSEA PARK CIR
SPRING VALLEY CA 91978

FRANK A SOMERS
3211 CHELSEA PARK CIRCLE
SPRING VALLEY CA 91978

PHILIP M VINCI
3211 CHELSEA PARK CIR
SPRING VALLEY CA 91978

SOURCE: FOURTH OF JULY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.520 CFS
PRIORITY DATE: 04/01/1896
POINT OF DIVERSION:
T24N R22E S29 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 08/01	0.520 CFS0.390
	08/02 11/01	CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T24N R22E S30 SESW 13.00

13 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.

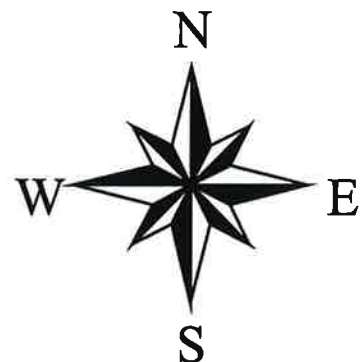
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

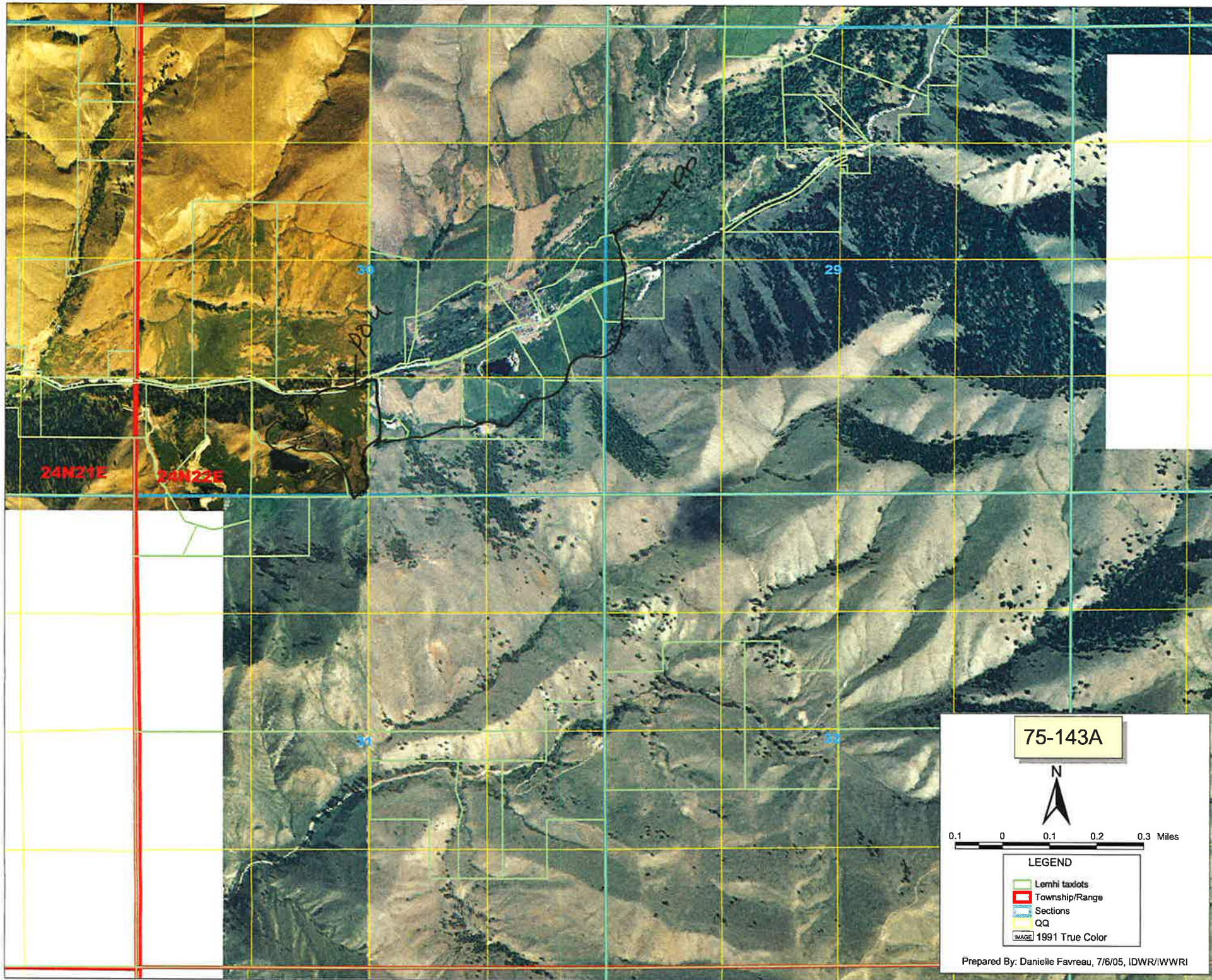
Split of 75-143



0.07 0 0.07 0.14 Miles

Lemhi taxlots
GCDB24N22E GCDB
75-143.shp







State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MARCH 15, 1995

PHILIP M VINCI
3211 CHELSEA PARK CIRCLE
SPRING VALLEY CA 91978

RE: CHANGE IN OWNERSHIP FOR A75-00143

Dear Mr. Vinci:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A75-00143A, COPELAND, 0.60 CFS; 15 ACRES
A75-00143B, VINCI, 0.52 CFS; 13 ACRES

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Dan Copeland/copy claim/letter

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

FEB 21 1995

DATE OF CLOSING: _____

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 24 N Range 22 E
Section 30, SE 1/4 of SW 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. (SEE ATTACHED)

☐ 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: _____

A 75-001435B

☒ Name and Address of Former
Owner/Claimant(s)(Seller): _____

DAN & JANICE COPELAND
P.O. Box 1181

☒ New Owner/Claimant
(Purchaser): _____

SALMON, ID. 83467
Philip M. & Wendy R. Vinci (1/2) FRANK A. Somers (1/2)

☒ New Mailing Address: _____

3211 CHELSEA PARK Circle
Spring Valley, CA. 91978

☒ New Telephone Number: _____

(619) 297-2815 or 670-7066

☒ 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:

50% 23.46 Ac. purchased

Tele Con. 3-10 w/ Phil: About half is irrigated

☒ Attach proof of
ownership, describe
proof attached: _____

WARRANTY DEED

(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): _____

Philip M. Vinci Wendy R. Vinci Date 1-18-95
Frank A. Somers Date 1/20/95

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

D. Copeland Date 2/7/95
Janice S. Copeland Date 2/7/95

(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:

MICROFILMED

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

NOV 18 1995

Philip M. Vinci
Attorney at Law
1761 Hotel Circle So., Suite 200
San Diego, California 92108
(619) 297-2815

February 16, 1995

IDWR Eastern Region
900 N. Skyline
Idaho Falls, ID 83402

RECEIVED

FEB 21 1995

Department of Water Resources
Eastern District Office

To Whom It May Concern:

Enclosed please find two NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP forms with regard to property we have purchased in Idaho.

If you need additional information beyond that included on the forms, please call me at your convenience.

Thank you for your attention to this matter.

Very truly yours,



Philip M. Vinci

PMV/ts
enclosures

MICROFILMED

NOV 18 1996

Warranty Deed

For Value Received

DANIEL COPELAND AND JANICE SHEPHERD COPELAND, WHO ACQUIRED TITLE AS
JANICE SHEPARD COPELAND, HUSBAND AND WIFE

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

PHILIP M. VINCI, WENDY R. VINCI, AND FRANK A. SOMERS

whose current address is

1761 HOTEL CIRCLE SO. SUITE 200
SAN DEIGO, CA 92108

the grantee, the following described premises, in LEMHI

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

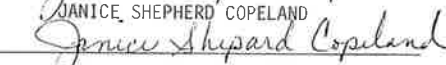
SUBJECT TO: A REAL ESTATE MORTGAGE BETWEEN DANIEL COPELAND AND JANICE SHEPARD COPELAND, HUSBAND AND WIFE, AS MORTGAGORS, AND FRANK R. NELSON AND LOUISE C. NELSON, HUSBAND AND WIFE, AS MORTGAGEES, IN THE AMOUNT OF \$144,000.00 DATED MARCH 31, 1994, RECORDED APRIL 1, 1994, AS INSTRUMENT NO. 222082.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owner 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 25, 1994


DANIEL COPELAND


JANICE SHEPHERD COPELAND

JANICE SHEPARD COPELAND

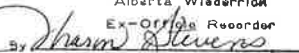
STATE OF IDAHO, COUNTY OF LEMHI
On this 25th day of AUGUST, 1994,
before me, a notary public in and for said State, personally appeared

DANIEL COPELAND AND
JANICE SHEPHERD COPELAND
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.


LAURIE M. SANTEE
Notary Public
Residing at Salmon, Idaho
Comm. Expires 6-19-1995

State of Idaho) ss No. 223731
County of Lemhi)

This instrument was filed for record at
the request of American Land Title
2:53 o'clock p.m. Aug 25 1994
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederlich
Ex-Officio Recorder
By  Deputy

Furnished by the AMERICAN LAND TITLE COMPANY, INC.

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SE1/4 SW1/4, SECTION 30,
T. 24 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE S1/4 CORNER OF SAID SECTION 30, RUN
THENCE S. 89 DEGREES 55' 41" W. ALONG THE SOUTHERLY BOUNDARY
OF SAID SECTION 30, A DISTANCE OF 221.50 FT.;

THENCE N. 09 DEGREES 29' 33" W. A DISTANCE OF 331.72 FT.;

THENCE N. 56 DEGREES 49' 14" W. A DISTANCE OF 296.30 FT.;

THENCE N. 75 DEGREES 47' 25" W. A DISTANCE OF 276.01 FT.;

THENCE N. 86 DEGREES 37' 27" W. A DISTANCE OF 308.65 FT.;

THENCE N. 78 DEGREES 51' 15" W. A DISTANCE OF 113.83 FT.;

THENCE N. 31 DEGREES 20' 19" W. A DISTANCE OF 182.11 FT.;

THENCE N. 00 DEGREES 55' 34" W. A DISTANCE OF 556.06 FT.

TO A POINT IN THE CENTER OF FOURTH OF JULY CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID
CENTERLINE;

157.77 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL
ANGLE OF 18 DEGREES 00' 15.5", A RADIUS OF 502.07 FT., A
TANGENT OF 79.54 FT.,

S. 60 DEGREES 13' 04" E. 125.09 FT.;

122.77 FT. ALONG A CURVE TO THE LEFT HAVING A CENTRAL
ANGLE OF 30 DEGREES 30' 32", A RADIUS OF 230.56 FT., A TANGENT
OF 62.88 FT.;

N. 89 DEGREES 16' 23" E. 224.14 FT.; N. 89 DEGREES 48'
32" E. 192.52 FT.;

362.05 FT. ALONG A CURVE TO THE LEFT HAVING A CENTRAL
ANGLE OF 19 DEGREES 38' 02", A RADIUS OF 1056.52 FT., A
TANGENT OF 182.82 FT.;

N. 70 DEGREES 10' 29" E. 176.23 FT. TO A POINT ON THE
EASTERLY BOUNDARY OF SAID SE1/4 SW1/4;

THENCE S. 00 DEGREES 13' 44" E. ALONG SAID BOUNDARY A
DISTANCE OF 1286.08 FT. TO THE POINT OF BEGINNING.

RECEIVED

EXHIBIT "A"

FEB 4 1991

Department of Water Resources
Eastern District Office

PARCEL I:

THE EAST HALF OF THE SOUTHWEST QUARTER, THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND LOT THREE OF SECTION 30; THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31 IN TOWNSHIP 24 NORTH, RANGE 22 EAST OF THE BOISE MERIDIAN, LEMHI COUNTY, IDAHO. . .

PARCEL II:

A FRACTION OF THE SW1/4SW1/4 OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 22 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF SAID SW1/4SW1/4 OF SECTION 30, RUN THENCE WEST 47.3 FEET TO A POINT ON THE NORTHERLY SIDE OF THE LEMHI COUNTY ROAD, AND THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; CONTINUING THENCE WEST ALONG THE NORTH BOUNDARY OF THE SW1/4SW1/4 OF SECTION 30, A DISTANCE OF 1253.0 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY SIDE OF THE LEMHI COUNTY ROAD; THENCE EASTERLY ALONG THE NORTHERLY SIDE OF THE LEMHI COUNTY ROAD, 1288.0 FEET TO THE POINT OF BEGINNING. . .

Together with all water, water rights, ditches and ditch rights, mineral and mineral rights appurtenant thereto and used in connection therewith.

individual)
E OF CALIFORNIA
ITY OF Sonoma } ss.
8-31-90
ate, personally appeared Dorsey H. & Barbara D. McLaughlin before me, the undersigned, a Notary Public in and for
ially known to me or proved to me on the basis of satisfactory evidence to be the person S
name S - are
libed to this instrument and acknowledged that
They executed it.
ESS my hand and official seal.
Notary
Rose E. Goodwin
ONM 1251 (1/8/82)

GLENDALE FEDERAL
SAVINGS AND LOAN ASSOCIATION



(This area for official notarial seal)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-143B

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015082 G# J72605 P006

Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____
Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek, ditch to place of use

Decree 0.03 cfs/acre from 8/2 to 11/1
0.03 X 13 acres = 0.39 cfs

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-28-05

FIELD EXAMINER:

Bob Foster

Print Name

Bob Foster

Signature

SCANNED

OCT 05 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: A75-00143B
Date Received: 5/ 7/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	PHILIP M VINCI	619-297-2815
Address:	3211 CHELSEA PARK CIRCLE SPRING VALLEY CA 91978	
AND		
Name:	WENDY R VINCI	619-297-2815
Address:	3211 CHELSEA PARK CIRCLE SPRING VALLEY CA 91978	
AND		
Name:	FRANK A SOMERS	619-297-2815
Address:	3211 CHELSEA PARK CIRCLE SPRING VALLEY CA 91978	



2. Date of Priority: APR 1, 1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	22E	29	SW	SW	NW		LEMHI

5. Description of diverting works:
SOUTHSIDE DITCH (DITCH NO. 6).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.520		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum. **MICROFILMED**

9. Non-irrigation uses: **NOV 18 1996**

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	22E	30	SE	SW	IRR	13.0
Section Acres						13.0
Total Acres						13.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP: 2-5-91/JT
CHANGE IN OWNERSHIP 10-25-94 GJT
THIS RIGHT PAID FOR UNDER RECEIPT #E014221. CHANGE IN OWNERSHIP
3-14-95 GJT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MERRILL M. BROWN, ET AL.,
Decree Plaintiff

FRANK R. NELSON, ET AL.
vs Decree Defendant