

06/22/2002

RECEIVED

JUL 22 2002

Department of Water Resources

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.

CF

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 23, 2002

Water right number: 37-10646

OPPIO FAMILY LIMITED PARTNERSHIP
7900 PYRAMID HWY
SPARKS NV 89736
Telephone Number: (702)425-9540

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:

7/16/02

SIGNATURE:

Alan Oppio

Please print your name:

ALAN OPIO

IDWR State Office, PO Box 83720, Boise ID 83707-9815

04/30/2002

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

RIGHT NUMBER: 37-10646

NAME AND ADDRESS: OPPIO FAMILY LIMITED PARTNERSHIP
7900 PYRAMID HWY
SPARKS NV 89736

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/15/1883

POINT OF DIVERSION:

T06S R14E S21 SESWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.040 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within GOODING County

T06S R14E S21 NWSE

DOMESTIC Within GOODING County

T06S R14E S21 SWNE

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER 400 RANGE
PARCEL NO. RP 06S14E210000
PROPERTY ALSO KNOWN AS 2150 S 1500 E

37-10646

5-16-1992



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: **A37-10646**
Date Received: 8/25/1988
Receipt No: S001728
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: OPPIO FAMILY LIMITED PARTNERSHIP 702-425-9540
Address: 7900 PYRAMID HIGHWAY
SPARKS NV 89736

2. Date of Priority: MAY 15, 1883

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	21	SE	SW	NE		GOODING

5. Description of diverting works:
WELL & PUMP, STOCK TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
LIVESTOCK/400 RANGE (200 COW-CALF PAIRS), DOMESTIC/1 HOME W/LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	14E	21	SW	NE		DOMEST	
			NW	SE		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

CLAIM 37-4407 (SURFACE WATER FOR STOCK/IRRIGATION)

14. Remarks:

AS FAR AS I KNOW, THE WELL HAS BEEN THERE SINCE THE FARM WAS
FIRST DEVELOPED.

7-30-98: OWNERSHIP CHANGE SAVAGE TO OPPIO PER NOTICE REC'D

4-22-98 - VH

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

July 30, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

Oppio Family Limited Partnership
7900 Pyramid Highway
Sparks, NV 89436

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): A37-00238A, A37-00239A, A37-00240A, A37-04407
And A37-10646
Change of Ownership Notification

Dear Claimant(s):

Thank you for the notification that you have purchased property with the above referenced Snake River Basin Adjudication claims, our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
Water Resource Agent

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A37-00238A A37-00239A A37-00240A A37-04407 A37-10646 (Domestic)
Adjudication Claim Number(s) AJ5809NP AJ5809WP AJ5809NP AJ5809WP

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE**, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a **USDA Farm Service Agency** (formerly **ASCS**) **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Joe S. Savage and Jelen R. Savage
P.O. Box 373 Kimberly, Idaho 83341

RECEIVED
APR 22 1998

4. New Owner/Claimant(s) Oppio Family Limited Partnership
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 7900 Pyramid Highway, Sparks, Nevada 89436

Department of Water Resources
Southern Region

City, State and ZIP Code Sparks, Nevada 89436

New Telephone Number (702) 425-9540

5. Date you acquired the property 2-18-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Alan C. Oppio Date 2-18-98
Marcia E. Oppio Date 2-18-98
Alan C. Oppio, General Partnership
Marcia E. Oppio, General Partnership

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 16, 1998

Oppio Family Limited Partnership
7900 Pyramid Highway
Sparks, Nevada 89436

RE: Snake River Basin Adjudication
Claim Nos.: A37-00238A, A37-00239A, A37-00240A, A37-04407
A37-10646

Dear Claimants:

We are in receipt of your Notice of Change of Ownership for the above referenced claims. In investigating this change, however, I determined that we are in need of some additional documentation. For organizations, the Department requires a list of directors with authority to sign this form (please see item 7).

All other documentation seems to be in order to update the current ownership of the above claims purchased by you from the Savages. Your Notice of Change on property purchased from Los Caballeros is pending. If you have any further questions, please feel free to contact me at this office.

Sincerely,

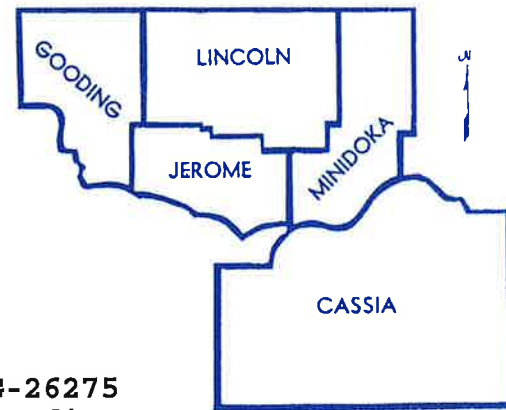
Vikie Hancock
SRBA Records Clerk

NEW ADDRESS
OPPIO RANCH
P.O. Box 381
GOODING ID. 83330

The general partners are Alan & Marcia
Oppio. As with all limited partnerships
any one general partner may sign.
Thank you
Alan Oppio

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-26275
OFFICE: Gooding

April 21, 1998

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RE: Notice of Change of Water Right Ownership
OPPIO/SAVAGE
Cert Mail #P 440 695 302

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on SAVAGE
for Water Right Number A37-00238A, A37-00239A, A37-00240A,
A37-04407 and A37-10646 (Domestic)
- Copy of Deed #174270
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.

A handwritten signature in blue ink, appearing to read "Lisa Ritter".

Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

RECEIVED

APR 22 1998

Department of Water Resource
Southern Region

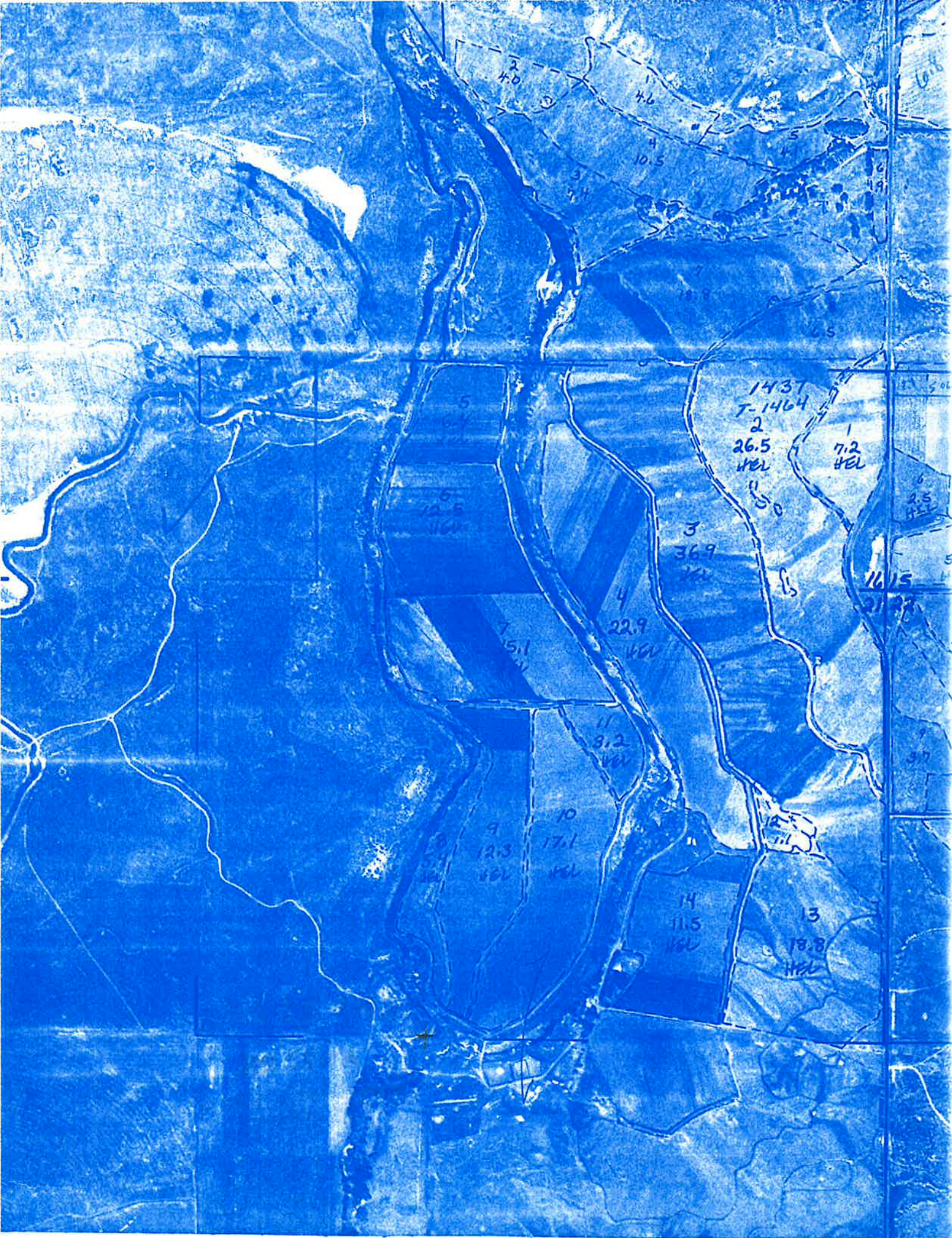
cc:

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199



WARRANTY DEED

#G-26295

For Value Received

Joe S. Savage, also known as Joseph S. Savage, and Helen R. Savage, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Oppio Family Limited Partnership
Address: 7900 Pyramid Highway, Sparks, Nevada 89436

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

SEE SCHEDULE A ATTACHED

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 18, 1998

Joe S. Savage
Joe S. Savage

Helen R. Savage
Helen R. Savage

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 18TH day of FEBRUARY, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE S. SAVAGE AND HELEN R. SAVAGE, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

 BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO
Residing at: GOODING, IDAHO
My Commission expires: 3-29-2000

Gooding County, Idaho
Commission Expires 3-29-2000

174270

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.

20 min. past 2 o'clock P.m. this 19th
February 1998. 600
Denny Archibald Deputy

RECEIVED

APR 22 1998

Department of Water Resource
Southern Region

SCHEDULE A

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 16: E1/2SE1/4SW1/4 and S1/2SE1/4;

EXCEPTING THEREFROM that portion of the SE1/4SE1/4 dedicated to the Gooding Highway District for the purposes of a highway by Deed of Dedication recorded September 24, 1958 in Book 49 Deeds page 334 as Instrument Number 135707, Gooding County records.

Section 21: NE1/4, E1/2NW1/4, N1/2SE1/4

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto including but not limited to 48 shares of capital stock of the Big Wood Canal Company, and also all appurtenant decreed water and water rights, and also including all appurtenant American Falls #2 water and water rights, and also including any licensed domestic or irrigation water rights, including but not limited to A37-00238A; A37-00239A; A37-00240A; A37-04407, licenses with the State of Idaho.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Assessment from supplemental decreed waters of Big Wood River.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Right of Way Deed given by the State of Idaho to Idaho Power Company, a corporation, dated March 2, 1923, recorded June 30, 1942 in Book 2 Page 121 as Instrument Number 84818, Gooding County records, granting an easement and right of way through a portion of Section 16, Township 6 South, Range 14, East Boise Meridian.

Terms and conditions of an Agreement by and between Big Wood Canal Company, a corporation, first party, and W. J. Hudson, second party, dated May 9, 1936, recorded June 2, 1936 as Instrument Number 64723, Gooding County records, pertaining to Lateral "LS" at Headgate No. 4712 located over a portion of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by William J. Hudson and Lorena Z. Hudson, husband and wife, to Idaho Power Company, a corporation, dated April 5, 1945, recorded July 13, 1945 in Book 5 Page 552 as Instrument Number 93882, Gooding County records, affecting a portion of the E1/2SW1/4, NW1/4SE1/4, SW1/4NE1/4 of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Harold T. Koenig and Edith N. Koenig, husband and wife, to Idaho Power Company, a corporation, dated May 9, 1946, recorded April 15, 1948 in Book 6 Page 298 as Instrument Number 105373, Gooding County records, affecting a portion of the NE1/4SW1/4 and SE1/4NW1/4 of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Lester Brown and Mary Brown, husband and wife, and Vance P. Brown and Bessie Brown, husband and wife, to Idaho Power Company, a corporation, dated July 11, 1955, recorded September 7, 1956 in Book 7 Page 494 as Instrument Number 130725, Gooding County records, affecting a portion of the S1/2NE1/4 of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Lester Brown and Mary Brown, husband and wife, to Idaho Power Company, a corporation, dated April 11, 1956, recorded January 24, 1958 in Book 7 Page 601 as Instrument Number 134141, Gooding County records, affecting a portion of the NE1/4 of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by W. B. Savage Produce Co to Idaho Power Company, a corporation, dated November 30, 1960, recorded January 7, 1961 as Instrument Number 142737, Gooding County records, affecting the NE1/4NW1/4, W1/2NE1/4, SE1/4NE1/4 of Section 21, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by W. B. Savage and Agnis Savage, husband and wife, to Idaho Power Company, a corporation, dated December 12, 1960, recorded May 10, 1961 as Instrument Number 1260, Gooding County records, affecting a portion of the SE1/4SE1/4 of Section 16, Township 6 South, Range 14, East Boise Meridian.

A.D.

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: **A37-10646**
Date Received: 8/25/1988
Receipt No: S001728
Received By: See

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOE S SAVAGE 208-423-4095
Address: PO BOX 373
KIMBERLY ID 83341

AND/OR

Name: HELEN R SAVAGE 208-423-4095
Address: PO BOX 373
KIMBERLY ID 83341

2. Date of Priority: MAY 15, 1883

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	21	SE	SW	NE		GOODING

5. Description of diverting works:
WELL & PUMP, STOCK TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
LIVESTOCK/400 RANGE (200 COW-CALF PAIRS), DOMESTIC/1 HOME W/LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	21	SW	NE		DOMEST	
			NW	SE		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

CLAIM 37-4407 (SURFACE WATER FOR STOCK/IRRIGATION)

14. Remarks:

AS FAR AS I KNOW, THE WELL HAS BEEN THERE SINCE THE FARM WAS FIRST DEVELOPED.

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Joe L. Savage Date: 7/21/92

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of July 1992
Steve Chubb
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 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: A37-10646
Date Received: 7/19/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SAVAGE PRODUCE, INC. 208-423-4095
Address: P. O. BOX 373
KIMBERLY, ID 83341

2. Date of Priority: MAY 15, 1883

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	21	SE	SW	NE		GOODING

5. Description of diverting works:
WELL & PUMP, STOCK TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
LIVESTOCK/400 RANGE (200 COW-CALF PAIRS), DOMESTIC/1 HOME W/LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	21	SW	NE		DOMEST	
			NW	SE		STOCK	

A37-10646

Page 1

Date: 07/19/88

MICROFILMED
FEB 25 1993

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
CLAIM 37-4407 (SURFACE WATER FOR STOCK/IRRIGATION)

14. Remarks:
AS FAR AS I KNOW, THE WELL HAS BEEN THERE SINCE THE FARM WAS
FIRST DEVELOPED.

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Joe S. Savage Date: 7/19/88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of July 19 88

Seal

Roxanne Storey
Notary Public

Residing at Buhl, Id

My Commission Expires 6-30-94