

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 67-14105
Date Received: 10/3/1989
Receipt No: M004775
Received By:

AMENDED CLAIM

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

1. Name of Claimant(s)

CAPURRO FAMILY TRUST Phone: (208)549-1381

1041 MANN CREEK RD
WEISER ID USA 83672

2. Date of Priority: 04/01/1886

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	04W	6	NW SW SE	WASHINGTON	

5. Description of diverting works:

DIV. VIA LUND DITCH, HEADGATES, GRAVITY FLOW, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.34	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
1.34 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

IN-STREAM STOCKWATER

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
11N	04W	7	SW NE	IRRIGATION	26
			SW NE	STOCKWATER	

NW SE IRRIGATION 26
NW SE STOCKWATER

NE SE IRRIGATION 20
NE SE STOCKWATER

Section Acres 72

Total Acres 72

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 67-00571 AND 67-00572.

AMENDED CLAIM TO INCLUDE STOCKWATER. MVB 12-19-2006

15. Basis of Claim: Decreed

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:

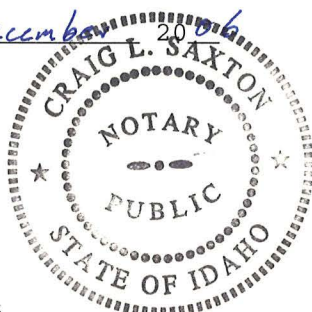
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jenya Capurro - Trustee - Capurro Family Trust Date: 12-19-06

_____ Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th
of December 2006



Craig L. Saxton
Notary Public

Residing at Boise ID

My commission Expires 8/17/07

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: **A67-14105**
Date Received: 10/ 3/1989
Receipt No: M004775
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: HELEN TIFFIN
Address: 1041 MANNS CREEK RD
WEISER ID 83672 208-549-2898
2. Date of Priority: APR 1, 1886
3. Source: MANNS CREEK Trib. to: WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11N | 04W | 6 | NW | SW | SE | | WASHINGTON |
5. Description of diverting works:
DIV. VIA LUND DITCH, HEADGATES, GRAVITY FLOW, FLOOD IRRIGATION.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.340 | | |
7. Total Quantity Appropriated is:
1.340 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	04W	7	SW	NE		IRR	26.0
			NE	SE		IRR	20.0
			NW	SE		IRR	26.0

Section Acres 72.0

SCANNED
APR 12 2004

MICROFILMED
OCT 22 1996

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

Renumbered to A67-14105

Ident. Number: A67-00571

Date Received: 10/03/1989

Receipt No: *MO08775*

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN TIFFIN
Address: 1041 MANNS CREEK RD.
WEISER, ID 83672
208-549-2898
2. Date of Priority: APR 01, 1886
3. Source: MANNS CREEK Trib. to: WEISER RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	04W	6	NW	SW	SE		WASHINGTON
5. Description of diverting works:
DIV. VIA LUND DITCH, HEADGATES, GRAVITY FLOW, FLOOD IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		
7. Total Quantity Appropriated is:
1.340 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	Lot	Use	Acres
11N	04W	7	SW	NE		IRR	26.0
			NE	SE		IRR	20.0
			NW	SE		IRR	26.0

Section Acres 72.0

A67-00571

Page 1

Date: 10/03/89

MICROFILMED

OCT 22 1996

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Total Acres 72.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE.

14. Remarks:

THIS CLAIM IS A COMBINATION OF WATER RIGHT NO. 67-00571 AND
67-00572 SINCE BOTH ARE THE SAME PRIORITY DATE AND SAME SOURCE
DELIVERED THRU THE LUND DITCH. THESE ARE BOTH SECONDARY RIGHTS
FILED ON THE FLOOD WATER RIGHT DECREED IN THE MANN CREEK DECREE
WITH THE LOW WATER RIGHT BEING .7 OF THAT AMOUNT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

E. V. JEFFERSON ET. AL.

Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.

Decree Defendant

MICROFILMED

OCT 22 1996

MICROFILMED

OCT 01 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0 MAP FILED IN A67-00537

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): Helen Tiffin Date: 10/3/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of October 19 89 Jan Skute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 28, 1995

Helen Tiffin
1041 Manns Creek Rd.
Weiser, ID 83672

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Washington County - Claim No. A67-14105

Dear Ms Tiffin,

The identification number of your Notice of Claim to a Water Right has been changed from A67-00571 to A67-14105. The claim you filed actually combines two existing rights: 67-00571 and 67-00572. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm:west
Enclosures:
copy of Notice of Claim

MICROFILMED
OCT 22 1996

12/20/2006

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

RIGHT NUMBER: 67-14105

NAME AND ADDRESS: HELEN TIFFIN
1041 MANNS CREEK RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.340 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 04/01/1886

This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

POINT OF DIVERSION:

T11N R04W S6 NWSWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	1.340 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S07	SWNE	26.00	T11N R04W S07	NESE	15.00
T11N R04W S07	NWSE	26.00			

STOCKWATER in WASHINGTON County

T11N R04W S07	SWNE	T11N R04W S07	NESE
T11N R04W S07	NWSE		

67 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.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 67-00571 AND 67-00572.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



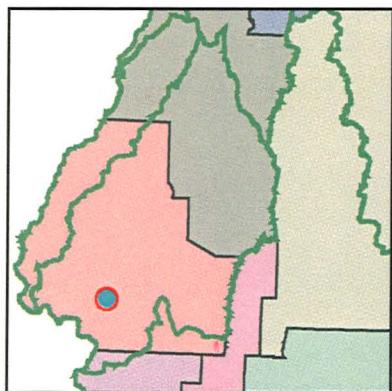
Idaho Department of Water Resources

Adjudication Claim:

67-14105

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.4 0.8 Miles



Prepared by D. Narsavage
On Friday, February 10, 2006
1987/88 Aerial Photography

67-14105



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14105 V1

WATER RIGHT NUMBER: 67-14105 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES H BOHRER
	WEISER, ID
Current Owner	HELEN TIFFIN
	1041 MANNS CREEK RD
	WEISER, ID 83672
	(208)549-2898

Priority Date: 04/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01	12/31	0.020 CFS	
IRRIGATION	03/01	11/15	1.340 CFS	
	<u>Total Diversion:</u>		1.340 CFS	

Location of Point(s) of Diversion

MANN CREEK	NW1/4SW1/4SE1/4	Sec. 6,	Twp 11N,	Rge 04W, B.M.
WASHINGTON County				

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	7			X										X	X			

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	
11N	04W	7			26.0										15.0	26.0			67.0

Total Acres: 67

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14105 V1

1. 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.
2. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
3. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 67-00571 AND 67-00572.
4. 168 This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

Remarks:Comments:

1. mvanbussum 12/20/2006 Amended claim
Comment: Claim amended to include in-stream stockwater.

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: 67
 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

Combined Use Limits: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	11/30/2005 9:37:20 AM	dnarsavage			Active
POD	11/30/2005 9:38:16 AM	dnarsavage			Active
Source	11/30/2005 9:41:33 AM	dnarsavage			Active
POU	11/30/2005 9:41:52 AM	dnarsavage			Active
Use	11/30/2005 9:45:00 AM	dnarsavage			Active
Season	11/30/2005 9:45:17 AM	dnarsavage			Active
Quantity	11/30/2005 9:45:50 AM	dnarsavage			Active
Summary			11/30/2005	dnarsavage	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14105 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/30/2005 9:42:14 AM	dnarsavage	Updated PLS for Active POU
POU	11/30/2005 9:45:31 AM	dnarsavage	Edited Season Of Use
Season	11/30/2005 9:45:17 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	10/6/2005 8:19:41 AM	dnarsavage	Updated shape for Active POU
POU	10/6/2005 8:40:00 AM	dnarsavage	Updated shape for Active POU
Quantity	11/30/2005 9:45:51 AM	dnarsavage	(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? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	11/30/2005 9:46:22 AM	dnarsavage	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

11/14/2006

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: December 8, 2006

Water right number: 67-14105

HELEN TIFFIN

1041 MANNS CREEK RD

WEISER ID 83672

Telephone Number: (208)549-2898

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

① Purpose ~~was~~

2. Describe the changes you wish to make in the proposed recommendation:

② Water right should be in name of Capurro Family Trust
~~Add~~ Use is for irrigation & livestock water

3. Give a brief explanation as to why you disagree with these portions:

① Land has been used to raise hay and pasture livestock. Land was purchased by Capurro's in 1998

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

DATE: *12-7-06*

SIGNATURE:

Tonya Capurro

Please print your name:

TONYA CAPURRO

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

1) Use - will need to amend claim for stock; only irrigation is claimed

2) needs c/o - will get during appointment 12-19-06
MVB 12-15-06

SCANNED

DEC 13 2006

AJ5809NP
No. A67-14105

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/24/98
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HELEN TIFFIN 1041 MANNS CREEK RD WEISER ID 83672 (208) 549-2898	04/01/1886	IRRIGATION	03-15 11-15	1.34 CFS	
TOTAL DIVERSION:					1.34 CFS	

Water Source: MANNS CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Point(s) of Diversion:

T11N R04W S06

NWSWSE

WASHINGTON 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
11N	04W	7	:				26										20	26			72.0
																				TOTAL ACRES	72.0

POU County: WASHINGTON

Remarks: GEN THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 67-00571 AND
67-00572.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 67

Field Inspection Flag:
Presumption Flag:

SCANNED
DEC 13 2006