

10/23/2006

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

RIGHT NUMBER: 67-14740

NAME AND ADDRESS: DAVID KAUPANGER
2538 COUNCIL CUPRUM RD
COUNCIL ID 83612

ROSALIE KAUPANGER
2538 COUNCIL CUPRUM RD
COUNCIL ID 83612

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right and 67-14748 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1976

POINT OF DIVERSION:

T17N R02W S15 NESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
Domestic use is for 1 home and 2 small orchards.		

PLACE OF USE: DOMESTIC Within ADAMS County

T17N R02W S15 NESE

STOCKWATER same as DOMESTIC

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

PARCEL #: RP17N02W157300A

Stockwater use is for 4 mules.



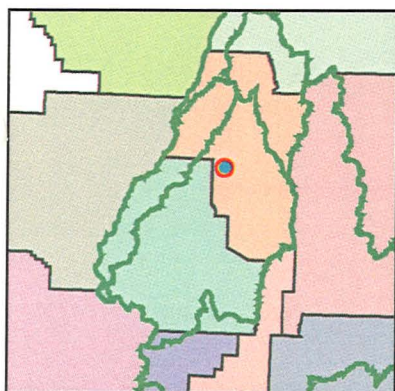
Idaho Department of Water Resources

SRBA Recommendation:

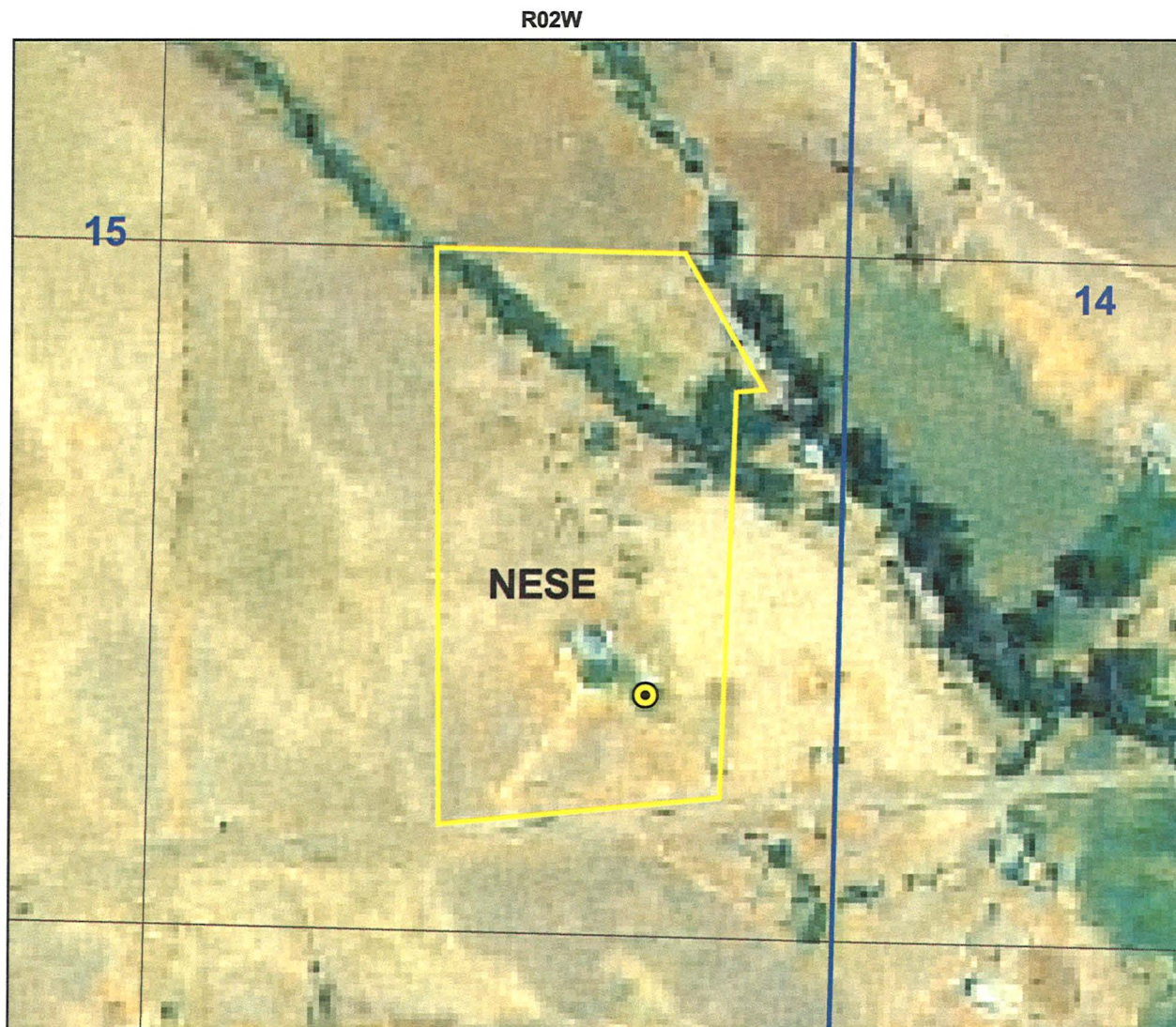
67-14740

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton
On Friday, July 7, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14740 V1

WATER RIGHT NUMBER: 67-14740 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID KAUPANGER 2538 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208)253-1161
Current Owner	ROSALIE KAUPANGER 2538 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208)253-1161

Priority Date: 07/01/1976

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 15, Twp 17N, Rge 02W, B.M.
ADAMS County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02W	15														X			

STOCKWATER same as DOMESTICConditions of Approval:

1. PARCEL #: RP17N02W157300A
2. N13 The quantity of water under this right and 67-14748 shall not exceed 13,000 gallons per day.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. X02 Stockwater use is for 4 mules.
5. X01 Domestic use is for 1 home and 2 small orchards.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14740 V1

6. 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.

Remarks:Comments:

1. csaxton 7/7/2006 Recommendation

Comment: All looks good. Recommend as claimed.

2. csaxton 7/7/2006 POD Location

Comment: POD location is best guess based on photography. No map provided in file.

3. csaxton 10/23/2006 Two Domestic Claims

Comment: The current owner of the property filed a D&S claim with a 1976 priority date for this property. Then, a little later, the mortgage lender filed just a domestic claim with a 1998 priority date for this property. Both appear to be for the same domestic use, but since there are different uses and different priority dates, our procedure is to recommend both rights and limit the two to 13,000 gpd.

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:

Owner Name Connector: OR

Water District Number:

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>
Contacts	7/7/2006 4:32:27 PM	csaxton			Active
Summary			07/07/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/7/2006 4:32:27 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	7/7/2006 4:33:00 PM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14740 V1

Summary	7/7/2006 4:36:55 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 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?
POU	7/7/2006 4:34:05 PM	csaxton	Updated shape for Active POU

Water Supply Bank:

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 67-14740
Date Received: 5/30/2006
Receipt No: W034230
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 01 2006

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

DAVID KAUPANGER Phone: (208)253-1161
2538 COUNCIL CUPRUM RD
COUNCIL ID USA 83612

ROSALIE KAUPANGER Phone: (208)253-1161
2538 COUNCIL CUPRUM RD
COUNCIL ID USA 83612

2. Date of Priority: 07/01/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	02W	15	NE SE	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 4 Mules

Number of homes: 1

Number of other uses: 2 Small Orchards

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	02W	15	NE	SE	DOMESTIC	
			NE	SE	STOCKWATER	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

RECEIVED

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

MAY 30 2006

WATER RESOURCES
WESTERN REGIONIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A67-14740Date Received 5-30-06Receipt Number W034230NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) David and/or Rosalie Kaupanger Phone (208) 253-1161
Mailing Address 2538 Council Cuprum Rd., Council, ID Zip 836122. Date of Priority (Only one per claim) 07/01/1976 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 17 North Range 2 West
Section 15, NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Adams

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 01/01 to 12/31 amount .04 (cfs)
For stockwater purposes from 01/01 to 12/31 amount .02 (cfs)
(Both dates are inclusive)7. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) one home, 4 mules + 2 small orchards

SCANNED

JUN 01 2006

10. Place of use is: Township: 17 North Range 2 West

Section 15, NE 1/4 of SE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David Karpanger Date 5/26/06
and/or Rosali Karpanger Date 5/26/06

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

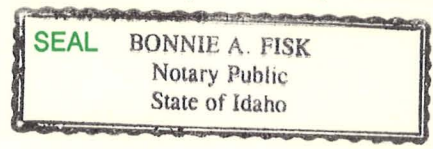
Title and Organization _____

State of Idaho/or _____)

County of Adams) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26th day of May 10 2006



Notary Public Bonnie A Fisk

Residing at Council, Idaho

My Commission Expires 11/21/09

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

SCANNED

JUN 01 2006