

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

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07915

NAME & ADDRESS: HELEN AIPPERSPACH
ADAM F AIPPERSPACH
RT 4 BOX 434
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

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

PRIORITY DATE: 04/23/1980

POINT OF DIVERSION: T09S R24E S22 NWSNW

Within MINIDOKA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.03 CFS

4.0 cfs

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S22 SWNW

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.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07915

PAGE 1
NOV-5-1996

RECEIVED

DEC 11 1996

Snake River Water Resource
Southern Region

OK.

RB
3-5-97

CKF
vol

KKC
-3-97

AJ0749NP
No. 36-07915

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/20/98
PAGE: 1

decreed 3-20-98

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HELEN AIPPERSPACH 66 N 100 E RUPERT ID 83350 (208) 436-6817	04/23/1980	DOMESTIC	01-01 12-31	0.03 CFS	
TOTAL DIVERSION:					0.03 CFS	

D HELEN AIPPERSPACH
D ADAM F AIPPERSPACH
RT 4 BOX 434
RUPERT ID 83350
(208) 436-6817

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R24E S22

NWSWNW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09S	24E	22	:													:
			:													:

POU County: MINIDOKA

Non-Irrigation Uses: 1 HOME

Other Rights: SHARES IN M.I.D.

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP09S24E223810

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C



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

April 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mrs. Helen Aipperspach
66 North 100 East
Rupert, Idaho 83350

RE: Snake River Basin Adjudication (SRBA)
Claim No(s):
Change of Name Notification

Dear Mrs. Aipperspach:

We have updated our records to reflect your notification of a name change on property with the above referenced Snake River Basin Adjudication claim(s). **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
S.R.B.A. Records Clerk

ENCLOSURES

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

APR 15 1998

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 No(s).: 36-07915

Adjudication Claim No(s).: _____

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 attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Helen AipperspachAdam F. AipperspachRt 4 Box 434 - Rupert, Idaho 83350-9440

4. New Owner/Claimant(s)

Helen Aipperspach

New Mailing Address

Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
66 N 100 E

City, State and ZIP Code

Rupert, Idaho 83350-9440

New Telephone Number

(208) 436-6817

Date you acquired the property

**Helen Aipperspach**
86 N 100 E
Rupert, ID 83350-9440

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 you irrigate _____

Number and type of stock _____

Diversion rate in CFS _____

Number of homes _____

Other uses _____

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 or Claimant(s)

Helen Aipperspach

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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

AJ5809NP
No. R36-07915

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/19/96
PAGE: 258

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HELEN AIPPERSPACH	04/23/1980	DOMESTIC	01-01 12-31	0.03 CFS	
C	ADAM F AIPPERSPACH					
	RT 4 BOX 434					
	RUPERT ID 83350			TOTAL DIVERSION:	0.03 CFS	
	(208) 436-6817					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R24E S22

NWSWNW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09S 24E 22	:		:		:		:		:		:		:		:	
	:		:		:		:		:		:		:		:	

POU County: MINIDOKA

Non-Irrigation Uses: 1 HOME

Other Rights: SHARES IN M.I.D.

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP09S24E223810

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

Comments: Date: 05/29/1991 User-ID: SRBA Subject: COPIED FROM REMARKS
RIGHT WAS ORIGINALLY LICENSED FOR IRRIGATION OF 1 ACRE BUT
USE CONSISTS OF CULINARY WATER FOR ONE HOUSEHOLD AND IRRIG. OF
LAWNS & FLOWERS OF LESS THAN 1/2 ACRE AROUND THE HOUSE.

Date: 07/31/1992 User-ID: SMITH Subject: CORRECTION
DELETED CONDITION CODE "R31"

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE

MAILED
DEC 05 1996

AJ5809NP
No. R36-07915

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/19/96
PAGE: 259

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Comments: Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

MICROFILMED
DEC 05 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

Ident. Number: A36-07915
Date Received: 7/07/1989
Receipt No: 500848/
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ADAM F. AIPPERSPACH 208-436-6817
Address: RT. 4 BOX 434
RUPERT, ID 83350

AND/OR

Name: HELEN AIPPERSPACH 208-436-6817
Address: RT. 4 BOX 434
RUPERT, ID 83350

2. Date of Priority: APR 23, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	24E	22	NW	SW	NW		MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD, WITH IRRIG. OF LAWN & FLOWER BEDS

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	24E	22	SW NW		DOMEST	

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
SHARES IN M.I.D.

14. Remarks:
RIGHT WAS ORIGINALLY LICENSED FOR IRRIGATION OF 1 ACRE BUT
USE CONSISTS OF CULINARY WATER FOR ONE HOUSEHOLD AND IRRIG. OF
LAWNS & FLOWERS OF LESS THAN 1/2 ACRE AROUND THE HOUSE.

15. Basis of Claim: LICENSE

MICROFILMED
FEB 05 1993

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

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): Dean F. Appersbach Date: 7-7-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of July 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/89

MICROFILMED
FEB 05 1993

WATER RIGHT NUMBER - A36-07915 ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (0) NUMBER -
+ - - - - - LAST NAME - - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
AIPPERSPACH ADAM F. 1 - RT. 4 BOX 434,
2 -
3 -
CITY- RUPERT STATE- ID ZIP- 83350
PHONE - 208-436-6817
AIPPERSPACH HELEN 1 - RT. 4 BOX 434
2 -
3 -
CITY- RUPERT STATE- ID ZIP- 83350
PHONE - 208-436-6817

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
04/23/1980 17 ERROR IN REGION L - LICENSE
+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
09S 24E 22 NW SW NW (67) MINIDOKA

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.030

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.030

+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
09S 24E 22 SW NW 43 DOMESTIC (67) MINIDOKA

TOTAL ACRES:

- + - - DIVERSION MEANS - WELL & PUMP
- + - - NON-IRRIGATION USE - D/ 1 HOUSEHOLD, WITH IRRIG. OF LAWN & FLOWER BEDS
- + - - OTHER RIGHTS FOR SAME USE - SHARES IN M.I.D.

+ - - - - - REMARKS - - - - - +
RIGHT WAS ORIGINALLY LICENSED FOR IRRIGATION OF 1 ACRE BUT
USE CONSISTS OF CULINARY WATER FOR ONE HOUSEHOLD AND IRRIG. OF
LAWNS & FLOWERS LESS THAN 1/2 ACRE AROUND THE HOUSE.

MICROFILMED
FEB 05 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/01/90 03:24:23
PAGE 2

WATER RIGHT NUMBER - A36-C7915

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

```
+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
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+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +

R31 - THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
- MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE
- LANDS ABOVE.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +

00/CG/0000

[illegible]

NO COMMENTS FOUND

+ - - AUDIT FIELDS - 07/07/89 MERRITT

+-----+-----ADJUDICATION RIGHTS DATES AND FLAGS AREA-----+
--

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 07/07/1989
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

```

FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 02/11/1985
LAST AMENDED DATE         - 00/00/0000
RECEIPT NUMBER            - S008481
POU OWNERSHIP FLAG        - Y
NAME CONNECTOR            - AND/OR

```

CIVIL CASE NUMBER	-	35576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	C

RP 09524 E22 3810

DATA ENTRY

ENTERED 5/29/91 SW

CHECKED 2/27/92

"Verified By"

Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

CERTIFIED

JAN 25 1991

WATER EXAMINER

VERIFIED

IAN 1991