

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-4050B V1

WATER RIGHT NUMBER: 47-4050B V1

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	DARLA KNEPPE 564 SARAH AVE TWIN FALLS, ID 83301 (208)735-1812
Original Owner	JANICE PENDLETON 3484 E 3100 N KIMBERLY, ID 83341 (208)423-6256
Previous Owner	MIKE M LEE 2461 TOLBERT DR TRACY, CA 95377 (209) 814-7353
Original Owner	DON PENDLETON 3484 E 3100 N KIMBERLY, ID 83341 (208)423-6283
Previous Owner	ALAN J KNEPPE 564 SARAH AVE TWIN FALLS, ID 83301 (208) 539-1096
Current Owner	LYNNE V FOSTER 6260 STEVENSON WAY LAS VEGAS, NV 89120 (702)434-9782
Current Owner	RICHARD A FOSTER 6260 STEVENSON WAY LAS VEGAS, NV 89120 (702)434-9782

Priority Date: 03/15/1958

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SEEPAGE WATER	COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.980 CFS	196.00 AF
	<u>Total Diversion:</u>	0.980 CFS	196.00 AF

Location of Point(s) of Diversion

SEEPAGE WATER	SE1/4NE1/4NE1/4	Sec. 29, Twp 11S, Rge 18E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp Rge Sec	NE		NW		SW		SE	
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	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 18E 20													18.0			31.0	49.0

Total Acres: 49

Conditions of Approval:

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. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. X36 Right 47-4050A is also diverted through the point of diversion described above.
5. P21 This right is a split from former right 47-4050.

Remarks:Comments:

1. akriwox 8/3/2005 field exam

Comment: Conducted on July 12, 2005 by Glen Gier

2. akriwox 8/3/2005 cfs

Comment: Adjusted to reflect acres irrigated; $(49)(0.02\text{cfs}) = 0.98\text{ cfs}$

3. akriwox 8/3/2005 priority date

Comment: Evidence of Priority located with 47-4050A. 3 affidavits supporting the installation of the claimed pump in "early 1958"

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: AND/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:

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Water Supply Bank: