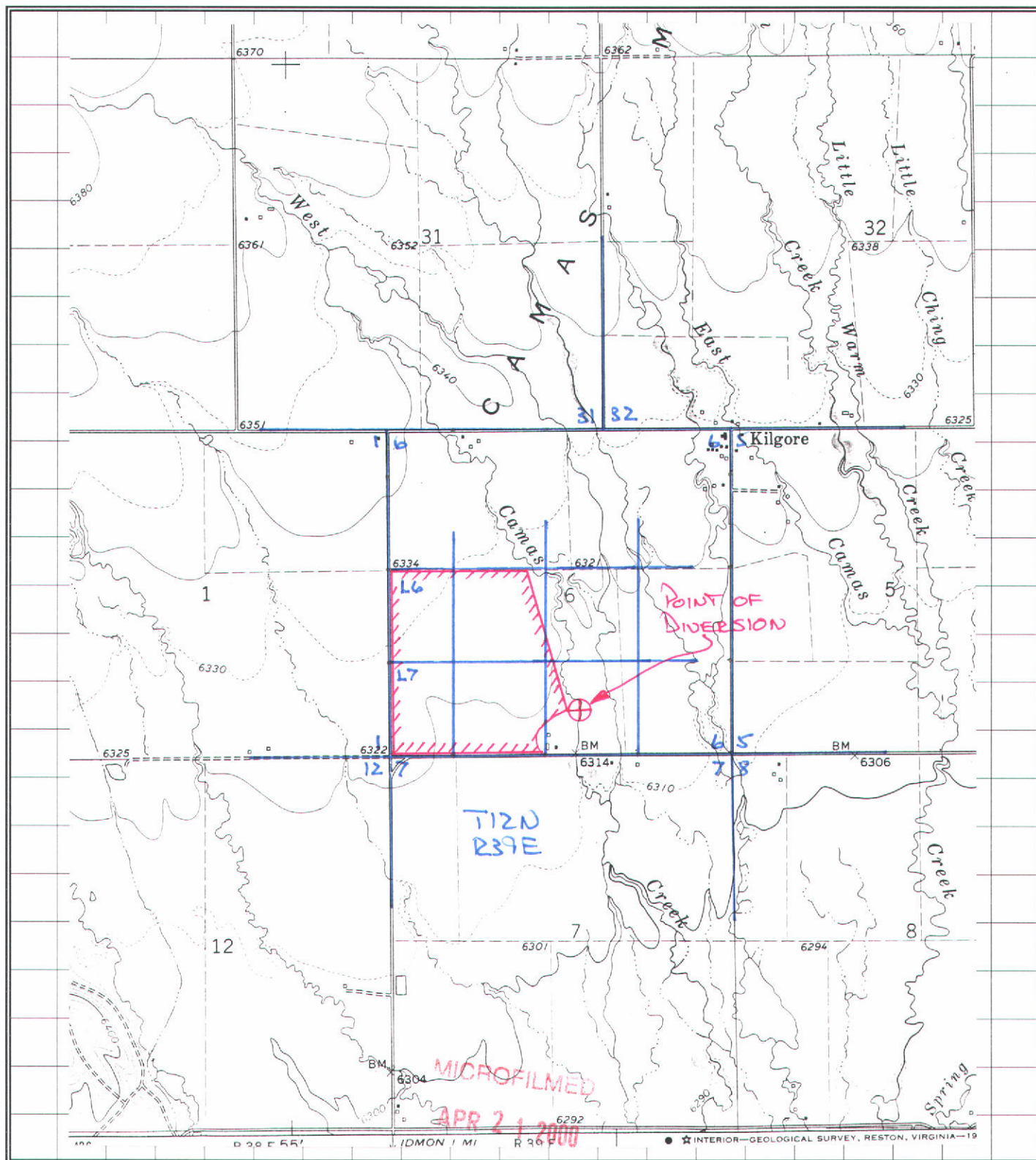
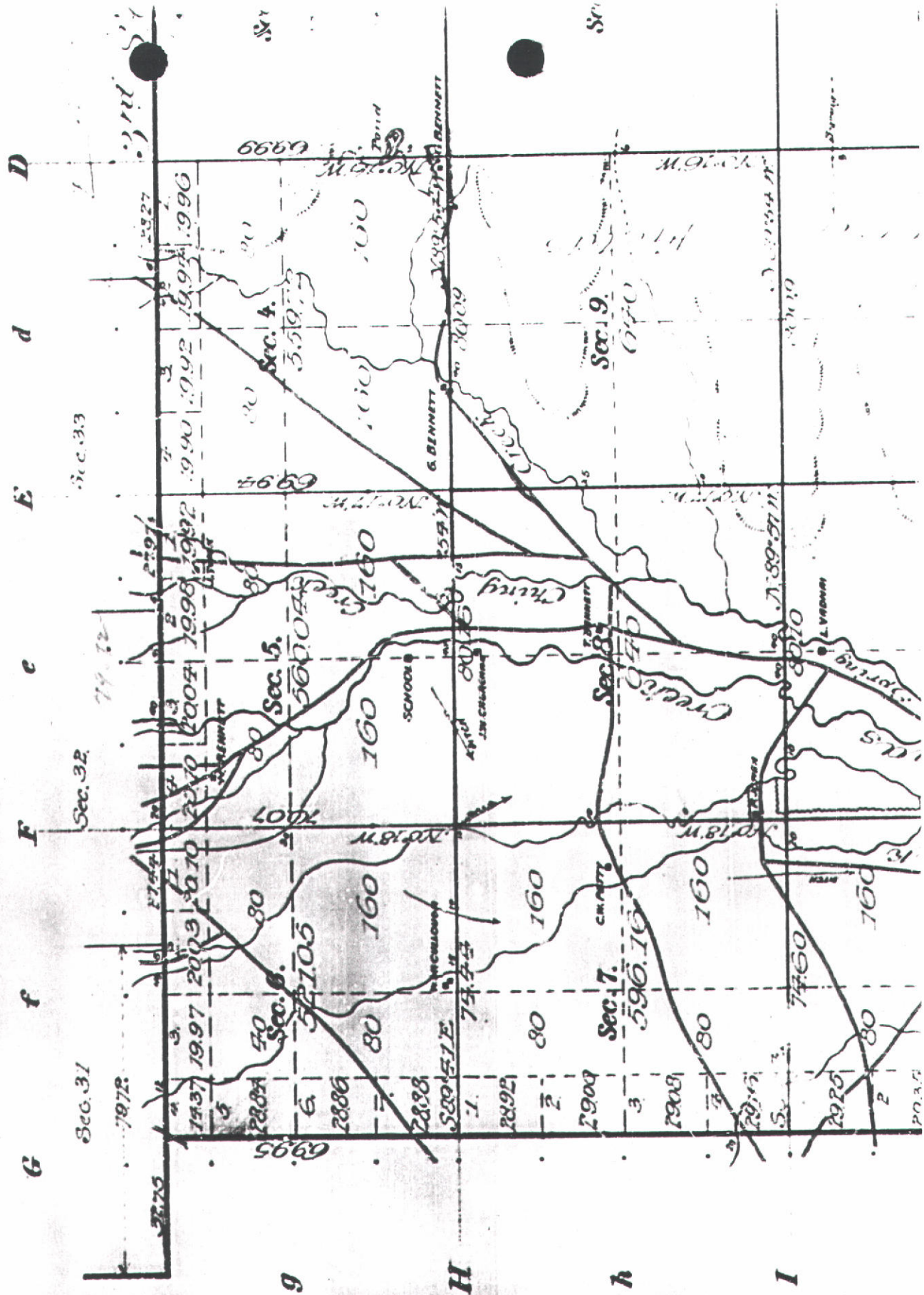


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF A WATER RIGHT**  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in Part 1. Clearly depict the land by section, township, and range number.



*Township No 12 North, Range No 39 East of*



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APR 21 2000

August W. Ossman

1900 - May 1

31 181 ✓

2.8 c.f.s.

Source: West Camas Creek, a tributary of Mud Lake.

Point of Diversion: One fourth mile up West Camas Creek from the land to be irrigated, and hereinafter described.

For use on the following described land, to-wit: The West Half of the Southeast Quarter, Lots 6 and 7, and the East Half of the Southwest Quarter of Section 6, and Lot 1, Section 7, -- all in Township 12 North, Range 39 East, B. M.

No. 94

350

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APR 21 2000

MAY 28 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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FEB 24 2004

Department of Water Resources

**CHANGE IN ADDRESS**

This form can be used to notify the Department of a change in  
address of the owners of record for the listed water rights.  
(Please print or type)

[ ] Water Right Number(s): 31-181

[ ] Name(s): LEAH P SIEPERT

KEITH J SIEPERT CREDIT SHELTERED TRUST

[ ] Old Mailing Address: 343 N 2000 W

REXBURG ID 83440

[ ] New Mailing Address: 245 N 12 W

REXBURG ID 83440

Telephone Number: (208) 356 - 3545

[ ] Signature(s) of Owner(s) Leah Siepert

19 Feb  
(Include your title if on behalf of company or organization)

Date: 02/19/2004

*Database updated - Kari Lujan - 2.24.04*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 11, 2000

LEAH SIEPERT  
SALLY ANNE HINCKLEY  
343 NORTH 2000 WEST  
REXBURG ID 83440

RE: Water Right Transfer Application #5440

Dear Transfer Applicant:

In response to the withdrawal notice you submitted for Transfer Application 5440, I have removed your application from the active processing list. If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen  
Water Rights Supervisor

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APR 21 2000

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Department of Water Resources

**A. PURPOSE OF TRANSFER**

- B. DESCRIPTION OF RIGHT(S) OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE**

4. Point(s) of diversion:

5. Land irrigated or place of use

**Total acres: 129**

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APR 21 2000

PART 1

6. General information:

- a. Description of diversion system: Pump in West Camas Creek to pipelines to sprinkler system for irrigation.
- b. Are the lands from which you propose to transfer the water right(s) subject to any liens, deeds of trust, mortgages, or contracts?  
Yes X No  
 If yes, provide a notarized statement from the holder of the lien, deed to trust, mortgage, or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: None. Please note  
that the place of use originally listed in the NWNW Section 7, T12N, R39E has not been irrigated in several years, thus  
it has been removed from the landlist and the cfs adjusted accordingly. The land in Section 7 was cut off from its  
water supply several years ago when the highway was reconstructed. The applicants own this parcel and do not  
intend to water it.
- d. Remarks: Please note that there is a reduction in cfs from the original 2.80 to 2.58. This is intended to match the  
applicants' Notice of Claim in the Snake River Basin Adjudication.

ACTION OF THE DIRECTOR, IDAHO DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights Number \_\_\_\_\_  
 And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

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APR 21 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF A WATER RIGHT**  
PART 2

**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

- a. Decree No.: 31-00181 Decreed to: August W. Ossman  
in the case of: Ernest Suave vs. W. H. Abbott  
dated: November 1, 1930 in \_\_\_\_\_ county of: \_\_\_\_\_
- b. License No.: \_\_\_\_\_ issued by the Idaho Department of Water Resources
- c. Claim No.: \_\_\_\_\_ on file with the Idaho Department of Water Resources
- d. Transfer No.: \_\_\_\_\_ which produced this right

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment "A". Check appropriate descriptor below:

☒ Tax Notice ☐ Warranty Deed ☒ Other Trust agreement

3. Source of water: West Camas Creek tributary to: Camas Creek

4. Date of priority: May 1, 1900

## 5. Water is used for the following purpose:

amount 2.8 cfs for Irrigation purposes from 1-May to 1-Sep  
(cfs/ac-ft)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under this right: 2.8 cfs cfs and or \_\_\_\_\_ ac-ft per annum

## 7. Point(s) of diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | NW  | 6    | 12N  | 39E  | Clark  |                          |
|     |     | NW  | NW  | 6    | 12N  | 39E  | Clark  |                          |
|     |     |     |     |      |      |      |        |                          |

## 8. Land irrigated or place of use:

|      |      |      |  | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|------|------|------|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp. | Rge. | Sec. |  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12N  | 39E  | 6    |  |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    | X  | X  |    |        |
|      |      |      |  |    |    |    |    |    |    |    |    |    | L6 | L7 |    |    |    |    |    |        |
| 12N  | 39E  | 7    |  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |  |    |    |    |    |    | L1 |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total acres: \_\_\_\_\_

9. Describe any other water rights used for the same purposes as described above: None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, please describe: \_\_\_\_\_

RECORDED  
APR 21 2000

## PART 2

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Land irrigated or place of use:

|      |      |      | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|------|------|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp. | Rge. | Sec. | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total acres: \_\_\_\_\_

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Land irrigated or place of use:

|      |      |      | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|------|------|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp. | Rge. | Sec. | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

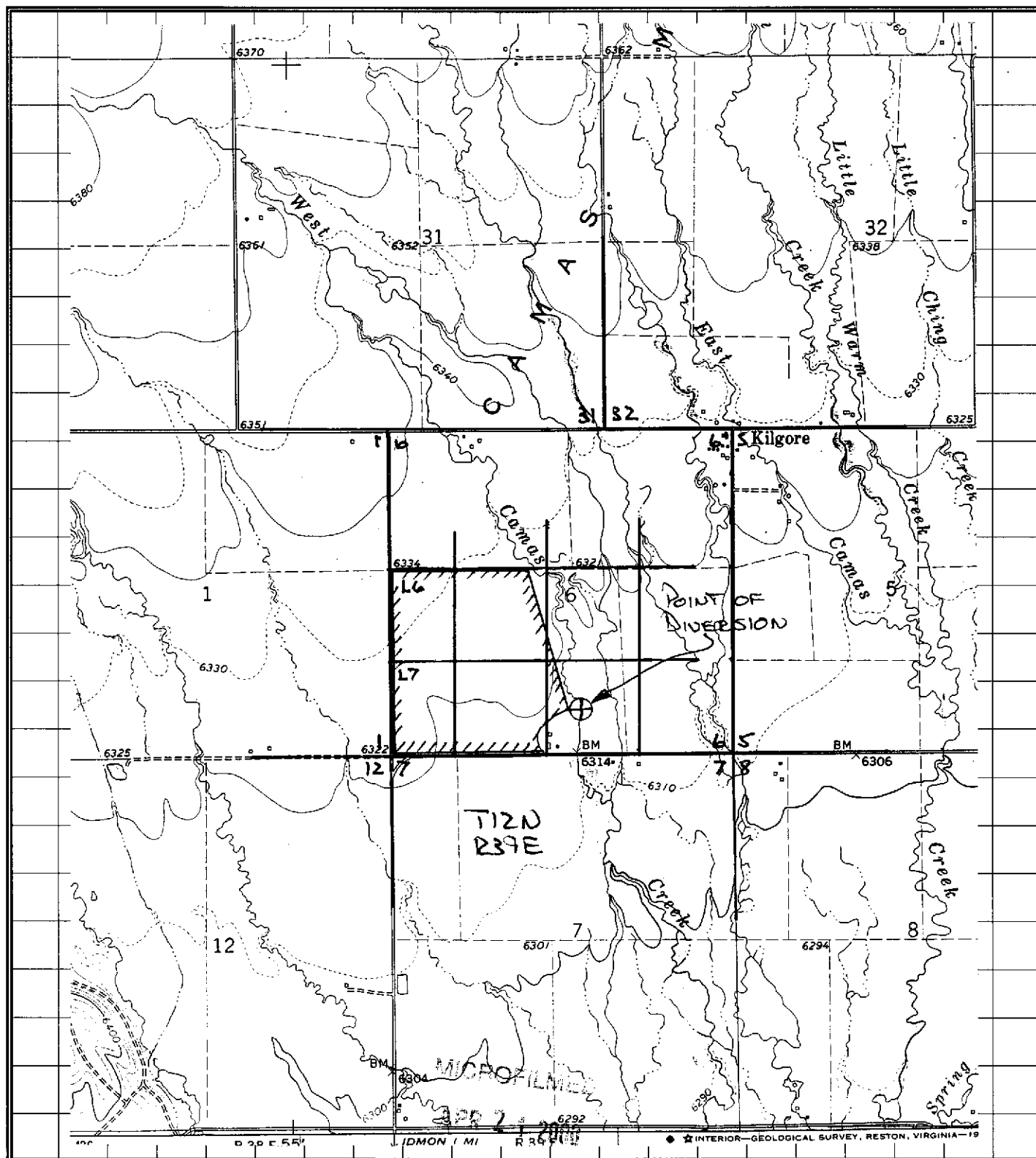
Total acres: \_\_\_\_\_

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APR 21 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF A WATER RIGHT**  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in Part 1. Clearly depict the land by section, township, and range number.



## PART 3

## B. CHANGES IN NATURE OF USE

| 1. | <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/day/yr.</u> | <u>Period of Use</u> |
|----|--------------------------|------------------------------|----------------------|----------------------|
|    | _____                    | _____                        | _____                | _____ to _____       |
|    | _____                    | _____                        | _____                | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 31<sup>st</sup> day of March, 19 99.

Leah Sigurd - Sally Anne Hinchley  
(Signature of Applicant) *Master J*

Paula E. Brown  
(Notary Public)

My commission expires 7-29-03

## FOR DEPARTMENT USE ONLY

|                                                         |                                                                                               |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Transfer contains: <u>6</u> pages and _____ attachments | Protest filed by: _____                                                                       |
| Received by: <u>DEM</u> Date: <u>3-31-99</u>            | _____                                                                                         |
| Prelim. check by: _____ Fee: <u>\$100.00</u>            | _____                                                                                         |
| Received by: <u>DEM</u> Date: <u>3-31-99</u>            | _____                                                                                         |
| Receipt Number: <u>E024869 &amp; E024870</u>            | _____                                                                                         |
| Published in: <u>Post Register</u>                      | Copies of protest forwarded by: _____                                                         |
| Published dates: <u>April 15 &amp; 22 1999</u>          | Hearing held by: _____ Date: _____                                                            |
| Watermaster recommendation requested on: <u>4/7/99</u>  | Recommended for: <input checked="" type="checkbox"/> approval <input type="checkbox"/> denial |

rec'd: \_\_\_\_\_ by: REC

MICROFILMED

Copy of transfer sent to lien holder on: \_\_\_\_\_

APR 21 2000

RECEIVED

APR 10 2000

Department of Water Resources

RECEIVED

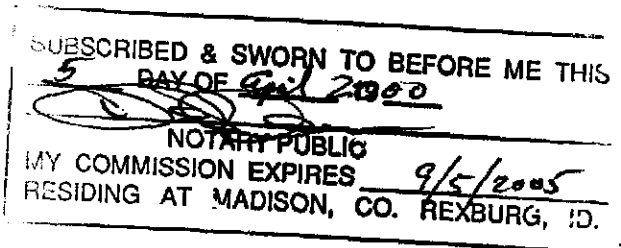
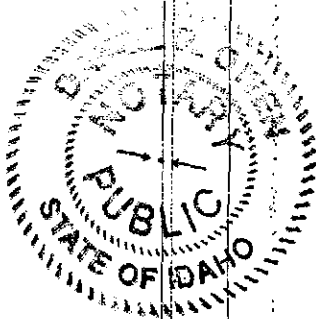
APR 05 2000

Department of Water Resources  
Eastern RegionIN THE MATTER OF  
APPLICATION FOR TRANSFERNUMBER T 5440

WITHDRAWAL

IN THE NAME OF  
KEITH J SIEPERT CREDIT  
SHELTERED TRUST AND  
LEAH D SIEPERT

I hereby withdraw Application for Transfer number T 5440  
and ask that it be voided from the Idaho Department of Water  
Resources records.

Signed this 5th day of April 2000  
19  .Signature: Leah Siepert  
Sally Anne Hinckley

MICROFILMED

APR 21 2000



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 9, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LEAH SIEPERT  
SALLY ANNE HINCKLEY  
343 NORTH 2000 WEST  
REXBURG ID 83440

RE: Water Right Transfer Application

Dear Transfer Applicant:

I am reviewing the transfer application you submitted in 1999 to change the point of diversion on West Camas Creek for water right 31-00181. When reviewing transfer applications for water rights in active water districts, IDWR is required to obtain comment from the watermaster. In his comments, which IDWR received May 5, 1999, Water District 31 watermaster Greg Shenton indicated that water right 31-00181 was not used in the previous five years. Under the provisions of §42-222(2), *Idaho Code*, a water right "shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated." There are, however, a number of legal defenses to forfeiture of a water right, including enrollment of the place of use in a federal cropland set-aside program and non-availability of water due to drought. Before I continue reviewing your transfer application, I need to have your response to the watermaster's statement that your right was not used for five years. Please send me information showing that water was diverted and used under water right 31-00181 during the period from 1994 through 1998 or that you have a legal defense to forfeiture for the period of non-use. Without this information I will not be able to recommend that your transfer be approved. I have enclosed a copy of the watermaster's comments and a copy of §42-222(2), *Idaho Code*, for you to review.

If the evidence shows that your water right has not been forfeited, we need to address two additional concerns expressed by the watermaster. First, the watermaster is concerned that he may not be able to measure and regulate your diversion adequately if you install a pump and completely pressurize your entire diversion and distribution system. Please submit information showing how the watermaster will be able to measure and regulate your diversion if your transfer application is approved. Second, the watermaster noted that you have proposed moving your point of diversion downstream in a stream reach that loses water. Allowing this kind of transfer can injure upstream junior water right holders because it will require more "carrying water" to get your full water right past their diversion points and down an additional length of channel to your new point of diversion. To prevent injury to other water right holders, your water right may need to be reduced, your priority date advanced, a source of mitigation water provided, or some other

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APR 21 2000

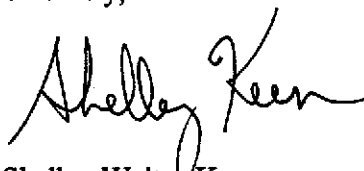
Leah Siepert  
Sally Anne Hinckley  
February 9, 2000  
Page 2

plan implemented. I would appreciate knowing if you have any suggestions or preferences for dealing with this issue.

Please submit the information I have requested within sixty days. If I have not received your reply by April 10, 2000, I will recommend that your transfer application be denied. If you wish to speak with the watermaster about measures that can be taken to alleviate his concerns, please contact Greg Shenton at Box 33 Dubois, ID, 83423 or at (208) 374-5274.

If you have any questions for me, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley Walter Keen  
Water Rights Supervisor

Cc: Greg Shenton, Watermaster of Water District 31

Enclosures

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APR 21 2000

T5440  
4-1-1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

RECEIVED  
MAY 21 1999

INITIAL REVIEW BY: HWT

1. Right number 31-00181 Applicant Keith J Siepert Credit Sheltered Trust & Leah P Siepert
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments \_\_\_\_\_
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) NA
- j. ☒ Use within a Watermaster District? ☒ Yes ☐ No  
If yes, what district? WD 31 Sand copy to Greg Stanton with comment sheet

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

## RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* Losses between the old Pd & new Pd may be determined and assessed by the watermaster to protect other water rights
4. By RDC Date 5/14/99

APPLICATION FOR TRANSFER OF  
WATER RIGHT TRANSFER NO.5440

WATER DISTRICT: 31

WATERMASTER: GREGORY A. SHENTON

DATE: MAY 4th, 1999

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES \_\_\_\_\_ NO X \_\_\_\_\_

COMMENTS: OUR RECORDS SHOW THAT THIS WATER RIGHT HAS NOT BEEN USED IN THE LAST FIVE YEARS.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X I DO ENDORSE APPROVAL OF THIS CHANGE.

\_\_\_\_\_ I DO NOT ENDORSE APPROVAL OF THIS CHANGE.

I RECOMMEND THE FOLLOWING CONDITIONS OF APPROVAL:

IT HAS BEEN OUR EXPERIENCE THAT PUMPING DIRECTLY OUT OF THE CREEK MAKES IT NEARLY IMPOSSIBLE TO REGULATE THE WATER. WE RECOMMEND THAT IF THE POINT OF DEVERSION IS MOVED THAT THE WATER STILL BE DEVIRTED INTO A DITCH WHICH FLOWS OVER A WEIR SO IT CAN BE PROPERLY MEASURED AND REGULATED. FROM THERE IF WHISHED THEY COULD PUMP DIRECTLY OUT OF THE DITCH, OR POND. THERE IS ALSO AN ADDITIONAL CREEK BED LOSS THAT WILL AFFECT OTHER RIGHTS ON THE STREAM IF THE POINT OF DEVERSION IS MOVED AND IT IS OF MY OPPIONION THAT THAT ADDITIONAL LOSS SHOULD BE CONSIDERED BY THE DEPARTMENT OF WATER RESOURCES.

I ALSO RECOMMEND THAT THE PRIORITY DATE ON THE TRANSFER SHOULD BE AMMENDED BACK TO THE ORRIGIONAL PRIORITY DATE WHICH IS 05-01-1900 INSTEAD OF 01-01-1900.

  
WATERMASTER

RECEIVED  
MAY 05 1999

Department of Water Resources  
Eastern Region

MICROFILMED

APR 21 2000

# Proof of Publication

## The Post Register

State of Idaho  
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 15th day of April, 1999, last publication having been made on the 22nd day of April, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

*Robert Park*

Subscribed and sworn to before me, this 28th day of April, 1999.

*My Comm*

Notary Public

My commission expires January 10, 2003



MICROFILMED  
APR 21 2000

RECEIVED

APR 30 1999

Department of Water Resources  
Eastern Region

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**NOTICE OF PROPOSED  
CHANGE OF A WATER RIGHT  
NO. T5440**

Notice is hereby given that Keith J Siepert Credit Sheltered Trust and Leah P Siepert, 343 N 2000 W, Rexburg ID 83440, has applied to the Department of Water Resources to change the point of diversion of a surface water source. The right sought to be changed is evidenced by decree and recorded as follows:

**Decree No.: 31-00181**

Source: West Camas Creek

Amount: 2.80 cfs

Priority: 01/01/1900

Point of Diversion(s): NENW, SEC 6  
T12N R39E, Clark County

NWNW, SEC 6 T12N R39E, Clark  
County

The water is used for irrigation within  
SEC 6 and 7 T12N R39E, B.M.

**TO BE CHANGED**

**AS FOLLOWS:**

The applicant intends to change the location of his point of diversion to the SWSE SEC 6 T12N R39E. Also acreage and cfs is being reduced.

Any protests against approval of the proposed changes must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before May 3, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER  
Director

Published: April 15, 22, 1999

MICROFILMED  
SEP 14 2000



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 8, 1999

GREG SHENTON  
WATERMASTER # 31  
PO BOX 33  
DUBOIS ID 83423

RE: Application for Transfer #5440

Dear Greg:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by May 3, 1999.

If you have any questions, please feel free to contact us.  
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones  
Water Right Supervisor

HWJ:sc

enc.

MICROFILMED

APR 21 2000



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 8, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

**KEITH J SIEPERT CREDIT SHELTERED TRUST  
AND LEAH P SIEPERT  
343 N 2000 W  
REXBURG ID 83440**

**RE: Application for Transfer #5440**

**Dear Applicant:**

This office is currently in the process of advertising the application in the Post Register on April 15 and 22, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones  
Water Right Supervisor

HWJ::sc

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**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

**EASTERN REGION**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**April 8, 1999**

**POST REGISTER  
PO BOX 1800  
IDAHO FALLS ID 83403**

**Dear Cathy VonBorstel:**

**Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.**

**An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.**

**Please send the affidavit of publication and publication billing to this office before May 3, 1999.**

**Respectfully submitted,**

**Sharla Cox  
Administrative Assistant**

**Enc.**



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DATE: 03/19/99  
PAGE: 1

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IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

WR5809NP  
No. 31-00181

| OWNER<br>CODE    | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE                            | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------|------------------|--------------------------------------|-------------------------------------------|-------------------|---------------------|
| C                | AUGUST W. OSSMAN | 05/01/1900       | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 05/01 09/01<br>00/00 00/00<br>00/00 00/00 | 2.800 CFS         |                     |
| TOTAL DIVERSION: |                  |                  |                                      |                                           | 2.800 CFS         |                     |

Water Source: WEST CAMAS CREEK Tributary to: MUD LAKE Stage: DECREEED  
Point(s) of Diversion: T12N R39E S06 NWNW NWNW CLARK County

| Place of use Legal Description for: IRRIGATION |     |   |    |    |    |    |    |    |     |
|------------------------------------------------|-----|---|----|----|----|----|----|----|-----|
| NE SW SE                                       |     |   |    |    |    |    |    |    |     |
| T                                              | R   | S | NE | NE | NE | NE | NE | NE | SUM |
| 12N                                            | 39E | 6 | NE | NE | NE | NE | NE | NE |     |
| 12N                                            | 39E | 7 | NE | NE | NE | NE | NE | NE |     |

Place of use Location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CLARK

Remarks: GEN P/D 1/4 MILE UP WEST CAMAS CK. FROM P/U.

Dates: App. Received: Priority Date: 05/01/1900  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

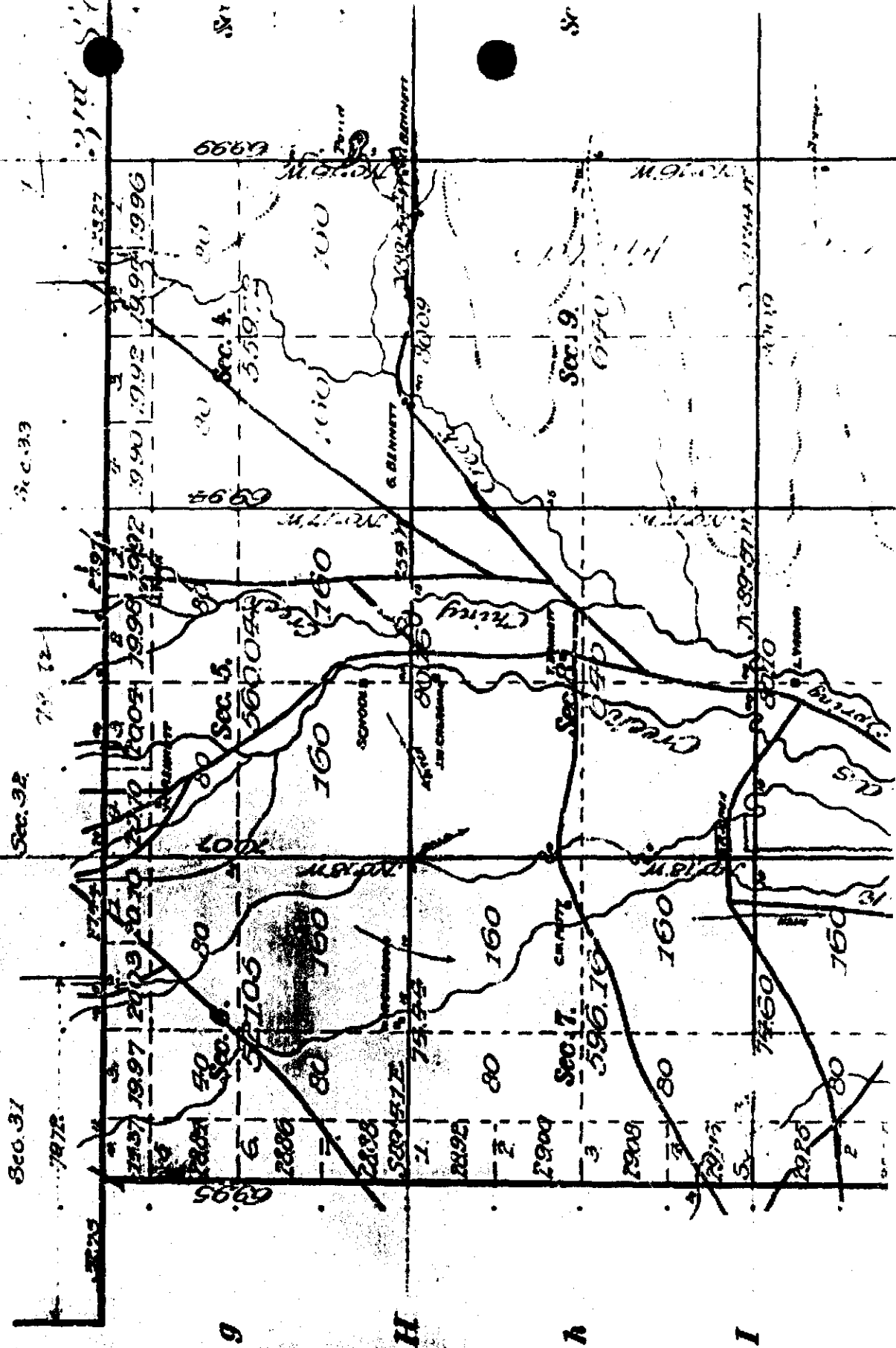
Misc: Water District Number: 31 Field Exam Fee:

Audit: 07/01/85 05/22/88 CONVERT

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APR 21 2000

# Township N°12North, Range N°39East 01

G F E d D



STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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): \_\_\_\_\_  
Adjudication Claim No(s): A31-00181, A31-10029
  
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 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 KEITH J AND LEAH D SIEPERT  
343 N 2000 W, REXBURG ID 83440
  
4. New Owner/Claimant(s) KEITH J. SIEPERT CREDIT SHELTERED TRUST  
AND LEAH D. SIEPERT  
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or  
New Mailing Address 343 N 2000 W  
City, State and ZIP Code REXBURG ID 83440  
New Telephone Number (208) 356-3545
  
5. Date you acquired the property May 15, 1998
  
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 Leah Siepert Date 3-31-99  
or Claimant(s) Sally Anne Hinchley Date 3-31-99  
(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..

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APR 21 2000

Kent W. Gauchay, Esq.  
SIMPSON, GAUCHAY & GARDNER  
Attorneys at Law  
497 North Capital Avenue, Suite 200  
P.O. Box 50484  
Idaho Falls, ID 83405-0484  
Telephone: (208) 523-2000

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON

|                             |   |                              |
|-----------------------------|---|------------------------------|
| IN THE MATTER OF THE ESTATE | ) |                              |
| OF                          | ) | Case No. SP-96-267           |
|                             | ) |                              |
| KEITH JACOB SIEPERT,        | ) | ACCEPTANCE OF APPOINTMENT AS |
|                             | ) | TRUSTEE                      |
| Deceased.                   | ) |                              |
| _____                       | ) |                              |

|                 |   |     |
|-----------------|---|-----|
| STATE OF IDAHO  | ) |     |
|                 | ) | ss. |
| County of _____ | ) |     |

1. The undersigned is an individual who has been appointed trustee of the following named trust whose principal place of administration is 206 West 1st South, Box 46, Lewisville, Idaho 83431: Keith J. Siepert Shelter Trust

2. The undersigned accepts appointment to, agrees to perform the duties and discharge the trust of, the office of trustee with regard to the said trust, and submits personally to the jurisdiction of this Court in any proceeding relating to the trust that may be instituted by an interested person, as defined by the Idaho Uniform Probate Code.

DATED this 20th day of April, 1998.

Sally A. Hinckley  
Sally A. Hinckley  
206 West 1st South  
Box 46  
Lewisville, ID 83431  
(208) 754-4603  
MICROFILMED

SUBSCRIBED AND SWORN To before me this 20<sup>th</sup> day of  
April, 1998.

(seal)

Kurt W. Campbell  
Notary Public  
Residing at: W. Lake Kelly  
My Commission Expires: 6/15/98

BETTY KIRKPATRICK  
CLARK COUNTY ASSESSOR  
P.O. BOX 7  
DUBOIS, ID. 83423

IMPORTANT NOTICE-PLEASE READ

| ADDRESS SERVICE REQUESTED |            | TAX CODE     | 3-00                                                                                          |
|---------------------------|------------|--------------|-----------------------------------------------------------------------------------------------|
| CATEGORY DESCRIPTION      | LOTS/ACRES | MARKET VALUE |                                                                                               |
| 4 MEADOW                  | 205.740 AC | 40,742       | 1998                                                                                          |
| 10 RURAL HOMESITE         | 1.000 AC   | 4,000        | TAXPAYER'S                                                                                    |
| 19 WASTE                  | 11.000 AC  |              | VALUATION                                                                                     |
| 31 RURAL RES BLDG         |            | 15,994       | ASSESSMENT NOTICE                                                                             |
| 32 RURAL IMP ON AG        |            | 8,166        | TAXES ARE BASED ON THE VALUATION                                                              |
| 58 MACH & EQUIP           |            | 28,030       | LISTED ON THIS STATEMENT                                                                      |
|                           | 217.740    | 96,932*      | IF THERE ARE ANY QUESTIONS<br>REGARDING THIS STATEMENT<br>NOTIFY THE ASSESSOR'S OFFICE BEFORE |

JUNE 22, 1998

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RP 12N39E064810 A

Mail To:

SEC 6 TWP 12 RGE 39  
LOTS 6 & 7, E28W, W28E

STEPHEN KEITH

343 N 2000 W

REXBURG

ID 83440

MICROFILMED  
APR 21 2000

BETTY KIRKPATRICK  
CLARK COUNTY ASSESSOR  
P.O. BOX 7  
DUBOIS, ID. 83423

IMPORTANT NOTICE-PLEASE READ

ADDRESS SERVICE REQUESTED

| CATEGORY DESCRIPTION | LOTS/ACRES | MARKET VALUE |
|----------------------|------------|--------------|
| 4 MEADOW             | 25.020 AC  | 5,504        |
| 5 DRY GRAZING        | 1.000 AC   | 52           |
| 9 WASTE              | 2.900 AC   |              |
|                      | 28.920     | 5,556*       |

1998

TAXPAYER'S  
VALUATION

ASSESSMENT NOTICE  
TAXES ARE BASED ON THE VALUATION  
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1998

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RP 12N39E073010 A

Mail To:

SEC 7 TWP 12 RGE 39  
LOT 1

GILBERT KEITH

343 N 2000 W

REXBURG

ID 83440

MICROFILMED

APR 21 2000