

TUPPER SPRING WATER RIGHTS

Water Rt.	Owner	Priority	Rate (cfs)	Use	Season of Use
36-00115	B. Tupper	04/01/1881	0.60	Irr. Dom. Stock	3/15 - 11/15 1/1 - 12/31 1/1 - 12/31
36-02414	AquaLife	12/21/1959	4.00	Fish Prop.	1/1 - 12/31
36-07841	B. Tupper	02/12/1979	1.00	Fish Prop.	1/1 - 12/31

BIG SPRING WATER RIGHTS

Water Rt.	Owner	Priority	Rate (cfs)	Use	Season of Use
36-00022	Big Spring Water Users Assoc.	03/21/1901	12.90	Irr. Mun.* Dom.** Stock	3/15 - 11/15 1/1 - 12/31 1/1 - 12/31 1/1 - 12/31
36-00023	Big Spring Water Users Assoc.	04/01/1911	5.00	Irr.	3/15 - 11/15
36-02338^	AquaLife	08/05/1954	54.68	Fish Prop.	1/1 - 12/31
36-11060	Billingsley Creek Ranch	03/01/1971	2.04	Rec. Rec. Stor	1/1 - 12/31 1/1 - 12/31
36-15462	Billingsley Creek Ranch	06/01/1977	2.04	Fish Prop.	1/1 - 12/31

* City of Hagerman use from Big Spring = 1.86 cfs, based on City ownership of 93 shares at 1 inch per share.

** 0.40 cfs recommended for other domestic use as per SRBA Director's Report

^ Source of water under license is Springs, tributary to Billingsley Creek. Big Spring is one of the springs diverted by AquaLife under this license.

Although not quantified, stockwatering may be recognized as a beneficial use under decreed rights.

BILLINGSLEY CREEK WATER RIGHTS UPSTREAM OF AQUALIFE
(includes AquaLife and main creek diversions only)

Water Rt.	Owner	Priority	Rate (cfs)	Use	Season of Use
36-00004	Spring Valley Ranch	09/10/1884	15.0	Irr. Stock*	3/15 - 11/15 11/16 - 3/14
36-00018	Buckeye Farms	04/01/1917	20.0	Irr. Stock**	3/15 - 12/31
36-02734	AquaLife	10/05/1965	100.0	Fish Prop.	1/1 - 12/31
36-04011^	AquaLife	12/01/1965	50.0	Fish Prop.	1/1 - 12/31
36-07694	Rangen Inc.	04/12/1977	26.0	Fish Prop.	1/1 - 12/31
36-07742	Buckeye Farms	08/01/1977	20.0^^	Fish Prop.	1/1 - 12/31
36-08730	Buckeye Farms	09/24/1987	20.0^^ 20.0^^ 20.0^^	Wildlife Aesthetic Rec.	1/1 - 12/31 1/1 - 12/31 1/1 - 12/31

* Spring Valley Ranch claimed 0.19 cfs for year round stock use in SRBA. The SRBA Director's report recommended 1.64 cfs for winter stock use.

** Stock use not claimed in SRBA by owners.

^ This is a beneficial use claim. Beneficial use claims are moved to end of priority list during times of scarcity (I.C. 42-607).

^^ Total diversion under rights 36-07742 and 36-08730 not to exceed 20 cfs.

Rangen diversion under right 36-07694 returns to Billingsley Creek. Diversions under rights 36-07742 and 36-08730 do not return to creek.

RECEIVED

APR 12 1996

Department of Water Resources

April 9, 1996

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

Karl Dreher, Director
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 93720-9000

AQUA LIFE, INC.
ROUTE 5 BOX 5053
BUHL, IDAHO 83316

Dear Mr. Dreher:

The purpose of this letter is to make a call on water and demand that the Water Master for Water District 36A, shut off flows originating from that spring in Section 18, Township 7 South, Range 14 East, B.M., which have a priority date of their water right junior to Water Right No. 36-02414, which has a priority date of 12-21-1959. Please deliver this water to the diversion of water right 36-02414 until this water right is fulfilled.

Water is currently being diverted by Robert Tupper, under a priority date of 02-12-79 from this spring under a junior water right.

Thank you for taking prompt action.

Sincerely,

Ken Ellis
AQUA LIFE, INC.

KARL DREHER, DIRECTOR
IDAHO DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD
BOISE, IDAHO 93720-9000

P 076 111 498

MAIL

CERTIFIED



U.S. POSTAGE
PAID
TWIN FALLS, ID
APR 09 1996
RMDUNT
\$2.52
00048916-06

4/12/96
Norm delivered these to me on 4/12/96 at about 4:15 pm. I tried to call George Lemmon, but no answer. I also tried to call Ken Ellis, but no answer. Gary Spackman

We need to start working w/George first thing Monday morning.

Tupper... we...
DREHER

File
RECEIVED

APR 17 1996

Department of Water Resources

April 9, 1996

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

Karl Dreher, Director
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720-9000

Dear Mr. Dreher;

The purpose of this letter is to make a call on water and demand that the Water Master for Water District 36A, shut off flows originating from Billingsley Creek, or any tributary of Billingsley Creek which have a priority date of their water right junior to Water rights 36-02734, and 36-04011, and are upstream from the diversions for these two water rights. These two water rights have priority dates of 10-05-1965, and 12-01-1965 respectively. Please deliver this water to the two diversions for Water rights 36-02734, and 36-04011, until these rights are fulfilled.

We believe that waters are being diverted thru existing and expanded diversions and conveyances that hold junior water rights to ours. If and when our water rights are fulfilled, upstream junior water right holders should be allowed to again divert.

Thank you for taking prompt action.

Sincerely,

Gene Ellis
AQUA LIFE, INC.

RECEIVED

APR 12 1996

Department of Water Resources

April 9, 1996

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

Karl Dreher, Director
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720-9000

Dear Mr. Dreher:

The purpose of this letter is to make a call on water and demand that the Water Master for Water District 36A, shut off flows originating from Big Springs or Fisher Springs which have a priority date of their water right junior to Water Right 36-02338, which has a priority date of 08-05-1954. Please deliver water to the diversion of Water Right 36-02338 until this water right is full-filled.

It is our belief that waters are being diverted thru a pipeline from these springs to junior water right holders and also that some water diverted from the springs and used nonconsumptively for fish propagation, and other uses does not return to Billingsley Creek. We also have heard of a proposed exchange of water from Potter Springs and Big Springs. We strongly oppose this or any other diversion of water that would adversely affect our water right.

Thank you for taking prompt action.

Sincerely,

Ken Ellis
AQUA LIFE, INC

[Redacted] the right of the return address

CERTIFIED

AQUA LIFE, INC.
ROUTE 5 BOX 5053
BUHL, IDAHO 83316

P 076 111 499

MAIL

KARL DREHER, DIRECTOR
IDAHO DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD
BOISE, IDAHO 93720-9000



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