

04/26/2004

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

RIGHT NUMBER: 23-11290

NAME AND ADDRESS: CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92613

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 13.760 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 19.61 CFS. COMBINED RIGHT NOS.:
23-11286, 23-11288, 23-11290, 23-11294, 23-11304.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T02N R43E S31 NWSESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

13.760 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T02N R43E S19	SESW	10.0	T02N R43E S19	SWSE	35.0
T02N R43E S19 Lot 5	SESE	1.0	T02N R43E S30 Lot 8	NENE	23.0
T02N R43E S30	NWNE	27.0	T02N R43E S30	SWNE	28.0
T02N R43E S30 Lot 7	SENE	34.0	T02N R43E S30	NENW	15.0
T02N R43E S30	SESW	5.3	T02N R43E S30	SESW	3.5
T02N R43E S30 Lot 6	NESE	11.0	T02N R43E S30	NWSE	14.0
T02N R43E S31 Lot 5	NENE	26.0	T02N R43E S31	NWNE	38.0
T02N R43E S31	SWNE	40.0	T02N R43E S31	SENE	39.0
T02N R43E S31	NENW	30.0	T02N R43E S31	SESW	27.0
T02N R43E S31	NESE	25.0	T02N R43E S31	SESE	2.2
T02N R43E S32	SWNW	14.0	T02N R43E S32 Lot 5	SESW	0.6
T02N R43E S32	NESW	18.0	T02N R43E S32	NWSW	22.0

488.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 490.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11286, 23-11288,
23-11290, 23-11294, 23-11304.

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

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: Decreed

04/26/2004

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 23-11286, 23-11288, 23-11290.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11244 (23-00105).

02/20/2004

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

RIGHT NUMBER: 23-11290

NAME AND ADDRESS: CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92705

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 13.760 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 19.61 CFS. COMBINED RIGHT NOS.:
23-11286, 23-11288, 23-11290, 23-11294, 23-11304.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T02N R43E S31 NWSESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
13.760 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S19	SESW	10.0	T02N R43E S19	SWSE	35.0
T02N R43E S19 Lot 5	SESE	1.0	~~T02N R43E S29 Lot 2~~	~~SWNW~~	~~1.7~~
T02N R43E S30 Lot 8	NENE	23.0	T02N R43E S30	NWNE	27.0
T02N R43E S30	SWNE	28.0	T02N R43E S30 Lot 7	SENE	34.0
T02N R43E S30	NENW	15.0	T02N R43E S30	SENE	5.3
T02N R43E S30	SESW	3.5	T02N R43E S30 Lot 6	NESE	11.0
T02N R43E S30	NWSE	14.0	T02N R43E S31 Lot 5	NENE	26.0
T02N R43E S31	NWNE	38.0	T02N R43E S31	SWNE	40.0
T02N R43E S31	SENE	39.0	T02N R43E S31	NENW	30.0
T02N R43E S31	SENE	27.0	T02N R43E S31	NESE	25.0
T02N R43E S31	SESE	2.2	T02N R43E S32	SWNW	14.0
T02N R43E S32 Lot 5	SENE	0.6	T02N R43E S32	NESW	18.0
T02N R43E S32	NWSW	22.0			

490.3 ACRES TOTAL

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IRRIGATION OF A COMBINED TOTAL OF 490.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11286, 23-11288,
23-11290, 23-11294, 23-11304.

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Code.

EXPLANATORY MATERIAL: Decreed

02/20/2004

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 23-11286, 23-11288, 23-11290.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11244 (23-00105).

NOTICE OF ERROR
REPLY

02/24/2004
RECEIVED
MAR 15 2004
Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-11290

CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92613

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-6-04 SIGNATURE: Anthony H Osterkamp
Please print your name: Anthony H Osterkamp

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

4/26/04 POU ADJUSTED DUE TO BOR e-MAIL DIRECTING
T2N R43E SEC. 29 LOT 2 (SWNW)
IS FEDERAL PUBLIC LANDS w/o A
FARM AGREEMENT.

RECEIVED
MAR 18 2004
Department of Water Resources
Eastern Region

02/24/2004

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

RIGHT NUMBER: 23-11290

NAME AND ADDRESS: CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92613

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 13.760 CFS

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COMBINED DIVERSION RATE OF 19.61 CFS. COMBINED RIGHT NOS.:
23-11286, 23-11288, 23-11290, 23-11294, 23-11304.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T02N R43E S31 NWSESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	13.760 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S19	SESW	10.0	T02N R43E S19	SWSE	35.0
T02N R43E S19 Lot 5	SESE	1.0	T02N R43E S29 Lot 2	SWNW	1.7
T02N R43E S30 Lot 8	NENE	23.0	T02N R43E S30	NWNE	27.0
T02N R43E S30	SWNE	28.0	T02N R43E S30 Lot 7	SENE	34.0
T02N R43E S30	NENW	15.0	T02N R43E S30	SENW	5.3
T02N R43E S30	SESW	3.5	T02N R43E S30 Lot 6	NESE	11.0
T02N R43E S30	NWSE	14.0	T02N R43E S31 Lot 5	NENE	26.0
T02N R43E S31	NWNE	38.0	T02N R43E S31	SWNE	40.0
T02N R43E S31	SENE	39.0	T02N R43E S31	NENW	30.0
T02N R43E S31	SENW	27.0	T02N R43E S31	NESE	25.0
T02N R43E S31	SESE	2.2	T02N R43E S32	SWNW	14.0
T02N R43E S32 Lot 5	SENW	0.6	T02N R43E S32	NESW	18.0
T02N R43E S32	NWSW	22.0			

490.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
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IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11286, 23-11288,
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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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 23-11286, 23-11288, 23-11290.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11244 (23-00105).

CONANT VALLEY RANCH & BLM SPLITS

11285 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-52 { Parent 3³ cfs @ 0.02 = 160 ac
 Pritchard Ck 11286 CUR, 2⁹ cfs on 145² ac

11287 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-53 { Parent 3³ cfs @ 0.02 = 160 ac
 Pritchard Ck 11288 CUR, 2⁹ cfs on 145² ac

11289 - BLM, 14.3 ac @ 0.34

23-11244 { Parent (Split of Original 23-105 @ 16⁰ cfs) ALSO SEE 23-11243 Flow Rte. $E_{R_{split}} = 16^0$
 Pritchard Ck 11290 CUR, 13⁷ cfs on 581⁵ ac
 (Prior Split)

11303 - BLM, 14.3 ac @ 0.129 cfs 50⁰⁵ AF

23-11245 { Parent - error on original split - herein corrected.
 Well 11304 CUR, 2⁶⁴ cfs on 296² ac 1038⁴⁵
 (23-2058
 new Split)

11293 - BLM, 14.3 ac @ 0.004 cfs/ac = 0.06 cfs

23-11019 { Parent 2.3 cfs on 561² ac to Lic.
 Well 11294 CUR 2.24 cfs on 546² ac

11295 BLM, 5.9 ac @ 0.12 cfs

23-42 { Parent 0.50 cfs @ 0.02 = 25 ac
 Garden Ck 11296 CUR, 0.38 cfs on 18² ac

11297 - BLM, 5.9 ac @ 0.12 cfs

23-43 { Parent 6⁰ cfs @ 0.02 = 300⁰ ac
 Garden Ck 11298 CUR, 5.88 cfs on 294¹ ac

23-49 11299 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck Parent 2° cfs @ 0.02 = 100 ac
 11300 CVR, 1.88 cfs on 94' ac

23-11243 11301 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck Parent (Split on 23-105 @ 16° cfs) sees 23-11244 $E_{\text{w/wall}} = 16^\circ$ Flood Ret
 (Prior Spill) 11302 CVR, 1.78 cfs on 89' ac

23-11246 11291 - BLM, 5.9 ac @ 0.05 cfs (0.009 cfs/ac) 20° ac
 Parent - error on original split - corrected herein
 Well 11292 - CVR 1.99 cfs on 224' ac 704' ac
 (Prior Spill)

BLM Garden Ck $E_Q = 0.48$ cfs surfaces only; $E_{\text{w/wall}} = 0.41$ cfs
 CVR Garden Ck $E_Q = 9.92$ cfs surfaces only
 $E_{\text{w/wall}} = 12.64$ cfs

BLM Pritchard Ck $E_Q = 0.92$ cfs surfaces only
 CVR Pritchard Ck $E_Q = 19.58$ cfs surfaces only

BLM wows $E_Q = 0.19$ cfs
 CVR wows $E_Q = 4.96$ cfs

1.11 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-11244

WATER RIGHT NUMBER: 23-11244

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M E TOLIVER
	, ID
Current Owner	CONANT VALLEY RANCH PO BOX 5546 ORANGE, CA 92705
Current Owner	CONANT VALLEY RANCH 2350 SWAN VALLEY HWY SWAN VALLEY, ID 83449 (208) 483-2693

Priority Date: 01/22/1916

Basis: Decreed

Status: PARENT: see 23-11289 and 23-11290

<u>Source</u>	<u>Tributary</u>
PRITCHARD CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	14.100 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	14.100 CFS	

Location of Point(s) of DiversionPRITCHARD CREEK
BONNEVILLE County

NW1/4NE1/4

Sec. 6, Twp 01N, Rge 42E, B.M.

Place of UseIRRIGATION Within BONNEVILLE County

T02N R43E S30	NWNE	18.0	T02N R43E S30	SWNE	15.0
T02N R43E S30	NENW	29.0	T02N R43E S30 Lot 1	NWNW	34.0
T02N R43E S30 Lot 2	SWNW	30.0	T02N R43E S30	SENE	26.0
T02N R43E S30	NESW	28.0	T02N R43E S30 Lot 3	NWSW	16.0
T02N R43E S30 Lot 4	SWSW	35.0	T02N R43E S30	SESW	33.0
T02N R43E S30	NWSE	1.2	T02N R43E S30	SWSE	11.0
T02N R43E S31 Lot 5	NENE	7.8	T02N R43E S31	NWNE	36.0
T02N R43E S31	SWNE	40.0	T02N R43E S31	SENE	40.0
T02N R43E S31	NENW	40.0	T02N R43E S31 Lot 1	NWNW	33.0
T02N R43E S31	SENE	31.0	T02N R43E S31	NESE	19.0
T02N R43E S31	NWSE	8.6	T02N R43E S32	SWNW	20.0
T02N R43E S32 Lot 5	SENE	1.2	T02N R43E S32	NESW	20.0

$$\frac{14^1 \text{ cfs}}{596^0 \text{ ac}} = 0.024 \text{ cfs/ac}$$

SPLIT OF Q

11289

$$14^3 \text{ ac} @ 0.024 \text{ cfs/ac} = 0.34 \text{ cfs}$$

11290

$$14^1 \text{ cfs} - 0.34 \text{ cfs} = 13^76 \text{ cfs}$$

$$595^8 - 14^3 = 581^5 \text{ ac Limits}$$

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 23-11244

T02N R43E S32 NWSW 23.0

Total Acres: 595.8

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

1. Explanatory THIS CLAIM IS A SPLIT PORTION OF 23-00105.

Comments:

Ruberry, Allen

From: PZumberge@Osterkampgrp.com
Sent: Tuesday, February 17, 2004 3:00 PM
To: aruberry@ldwr.state.id.us
Subject: Conant Valley Ranch

Dear Mr. Ruberry:

Please remove the name "Timothy Hopkins" and/or his law firm's name, as it pertains to any water rights filings concerning Conant Valley Ranch.

Thank you:

Paul Zumberge,
Counsel for CVR
3577 W. Philadelphia Ave.
Chino, CA 91710

Direct 909-517-2815
Fax 909-364-2180

PRIVILEGED AND CONFIDENTIAL

This electronic message and any attachments are confidential property of the sender. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any other interception, copying, accessing, disclosure, review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. The sender takes no responsibility for any unauthorized reliance on this message. If you received this in error, please contact the sender and delete the material from any computer. Do not forward this message without permission.

-----Original Message-----

From: Dana Walton [mailto:DWALTON@pn.usbr.gov]
Sent: Monday, April 26, 2004 11:09 AM
To: aruberry@idwr.state.id.us
Cc: E. Gail McGarry; kmarioncarr@yahoo.com
Subject: Basin 23

Al,

In Basin 63 Part 1, Dave Tuthill accepted comments from us regarding federal land involved in the preliminary recommendations. I'm providing the following in hopes this will eliminate objections from us in Basin 23:

23-7004 - According to USGS DOQQ and BLM GCED no springs are mapped in the SESEW, NENEW and NWSEW. In the SWSW some springs are inside and some are outside the meander line. Outside the meander line is on federal land. A remark that POD's and POU's are not on federal land is asked to be added. "The Point of Diversion and Place of Use does not include a use on Federal Public Land."

23-11212 - The only private land in this 4E is in the NENESEW. We request a remark to narrow the place of use or a remark that POD's and POU's are not on federal land.

23-11279 - The POU listed as T02N R43E S32 NWSE is a trespass on federal land. It should be deleted from the final recommendation.

23-11248 - The POU listed as T02N R43E S30 SWSE is a trespass on federal land. It should be deleted from the final recommendation.

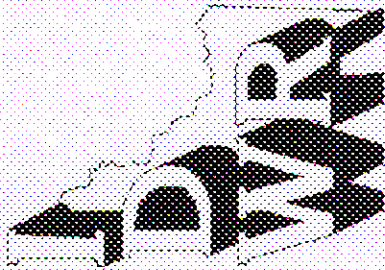
23-11286, 23-11288, and 23-11290 - The POU listed as T02N R43E S29 Lot 2 SESEW is a trespass on federal land. It should be deleted from the final recommendation.

23-10123 - The POU listed includes both private and federal land and should include the remark "The Place of Use does not include a use on Federal Public Land."

23-7087 - The POU listed includes both private and federal land and should include the remark "The Place of Use does not include a use on Federal Public Land."

23-7088 - The POD and POU listed includes both private and federal land and should include the remark "The Point of Diversion and Place of Use does not include a use on Federal Public Land."

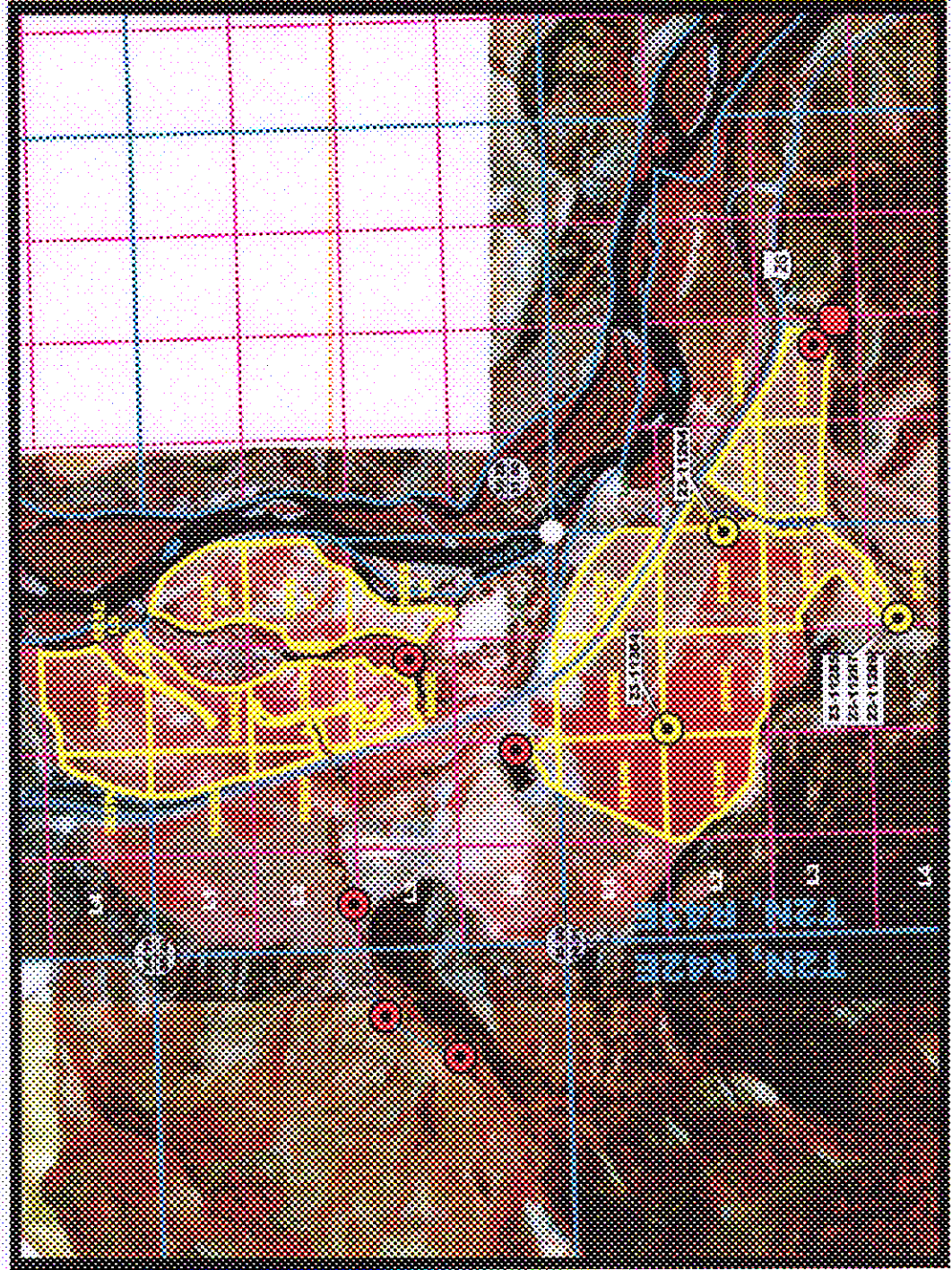
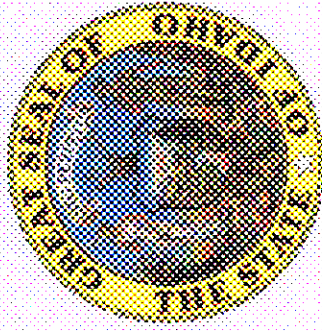
Please contact me if you need further documentation or have questions regarding these water rights. Hopefully, we can resolve these before the final recommendations to the court.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-11286,
23-11288,
23-11290,
23-11294,
23-11304

Place of Uses (parts of)

T2N, R43E
Secs. 18, 30, 31, 32

Point(s) of Diversion:

T2N, R43E
Sec. 31 NWSESE (surface),
NWSWNE, SESENE (wells)

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAIP Photography
Prepared by: A. Roberty
Date: April 2004

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 12000 13000 Feet