

SCANNED

MAY 18 2001

MEMORANDUM

15 March 2001

To: The Files 29-04042B, 29-04043A

From: A. Ruberry 

Subject: SRBA investigations of above claims

8:45 am, Rose Sterner, of North Carolina, called to inquire about the validity of the water rights referenced above. She is the prospective buyer of the property to which these claims have been made.

Reference is made to a MEMORANDUM detailing the history of 29-04042 and split iterations (see 29-04042, 29-04042B, 29-04042C). This memo also explains the theory regarding the DISALLOWED recommendation.

During the discussion I explained, briefly, the DISALLOWAL of 29-04042B. However, 29-04043A is claimed for irrigation of 10 acres. Further, I explained that, at this point in time, there appears to be some basis for the 29-04043 split iterations. SRBA claim 29-04043A is the part appurtenant to the property in question by Ms Sterner.

She expressed concern that they would like to plant trees and water their horses but did not want to "get in trouble with the neighbors or the State." I explained that the domestic well, if one, is *de minimus* limiting use to 13,000 gpd, but allows for the watering of up to ½ acre lawn and garden and livestock. She also expressed concern that the kids would like to play in the river and would they be allowed to do that. I explained that swimming was ok but any delivery of water from the Portneuf River would be through the watermaster and would be subject to delivery based on Priority Date, as provided in the Idaho State Constitution.

In closing, I advised that once they have made their move, if they would like for me to meet with them she need only to call and make an appointment.