

RECEIVED

NOV 07 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV - 6 - 07

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By _____ Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

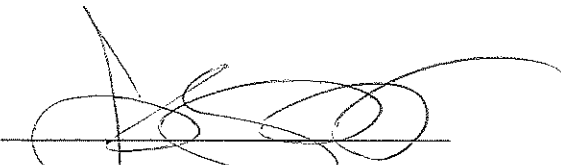
)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
) For water right claims: 75-2118, 75-14459
) & 75-14460
)
)

On April 27, 2007, claimant Antelope Hills Subdivision, filed through counsel, a *Motion to File Late Notice of Claim* for each of the above-captioned claims. A hearing was held on the *Motion* July 17, 2007. The *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the *Late Notice of Claim*. However, because the late claim was made in a substantially completed subbasin, the matter was referred to a special master for further proceedings. On August 29, 2007, the Special Master issued a *Special Master's Report and Recommendation* recommending that the *Motion* be granted. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Recommendation* and wholly adopts them as its own. No Challenges were filed and the time for filing Challenges has expired.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right claims 75-2118, 75-14459 & 75-14460 is **granted**.

The original *Notice of Claim*, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action.

Dated Nov. 6, 2007



JOHN M. MELANSON

Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on November 06, 2007, with sufficient first-class postage to the following:

ANTELOPE HILLS HOMEOWNERS ASSN

Represented by:

PAUL L ARRINGTON

113 MAIN AVE W, STE 303

PO BOX 485

TWIN FALLS, ID 83303-0485

Phone: 208-733-0700

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

RECEIVED

NOV 07 2007

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-2118Date Received 10-7-07Receipt Number 6085276NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Antelope Hills Homeowners Assoc. Phone (208) 756-4340Mailing Address P.O. Box 232, CARMEN, ID. Zip 834022. Date of Priority (Only one (1) per claim) 2/18/19523. Source of water supply (a) CARMEN CREEK
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 22N Range 22E Section 8,
_____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc).
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.HEADGATE AND ditchDISTRICT COURT - GRBA
TWIN FALLS CO. IDAHO
FILED
2007 APR 27 AM 10:48

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 10/31 amount 0.40 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 23.8 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	22E	8									14			9					23

Total number of acres irrigated 23

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

75-14077 thru 75-14079, 75-14083 thru 75-14085, 75-14315 or None ()
75-14317, 75-14319, 75-14321, 75-14340 thru 75-14341, 75-14451 thru 75-14454

14. Remarks:

#8 - Total Consumptive Use is an estimate based on one month of use for high water right.
#12 WATER RIGHTS ARE BEING CLAIMED AND WILL BE HELD BY THE ANTELOPE HILLS
HOMEOWNERS ASSOC. FOR THE SUBDIVISION. SEE ATTACHMENT TO COVER LETTER GIVING
AUTHORIZATION TO THE HOMEOWNERS ASSOC. TO HOLD OWNERSHIP OF WATER RIGHTS,
#13 WATER RIGHTS LISTED COVER APPLY TO THESE 23 ACRES PLUS
ADDITIONAL ACREAGE IN THE SUBDIVISION. SEE ATTACHED SPREADSHEET
FOR SUBDIVISION WATER RIGHTS.

Last Name Antelope Hills Ident No. 75-2118

Homeowners Association

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-2118
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary
of Antelope Hills Homeowners Assoc. that I have signed the foregoing
document in the space below as SECRETARY of Antelope Hills Homeowners Assoc.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Secretary, Antelope Hills Homeowners Assoc. Date 4-18-2007

State of Idaho or _____)
County of Lewi) SS.

Subscribed and sworn (or affirmed) before me this 18 day of April 2007

SEAL

NOTARY
PUBLIC

Notary Public Don C. Mulkey

Residing at Salmon

My Commission Expires 06.23.2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

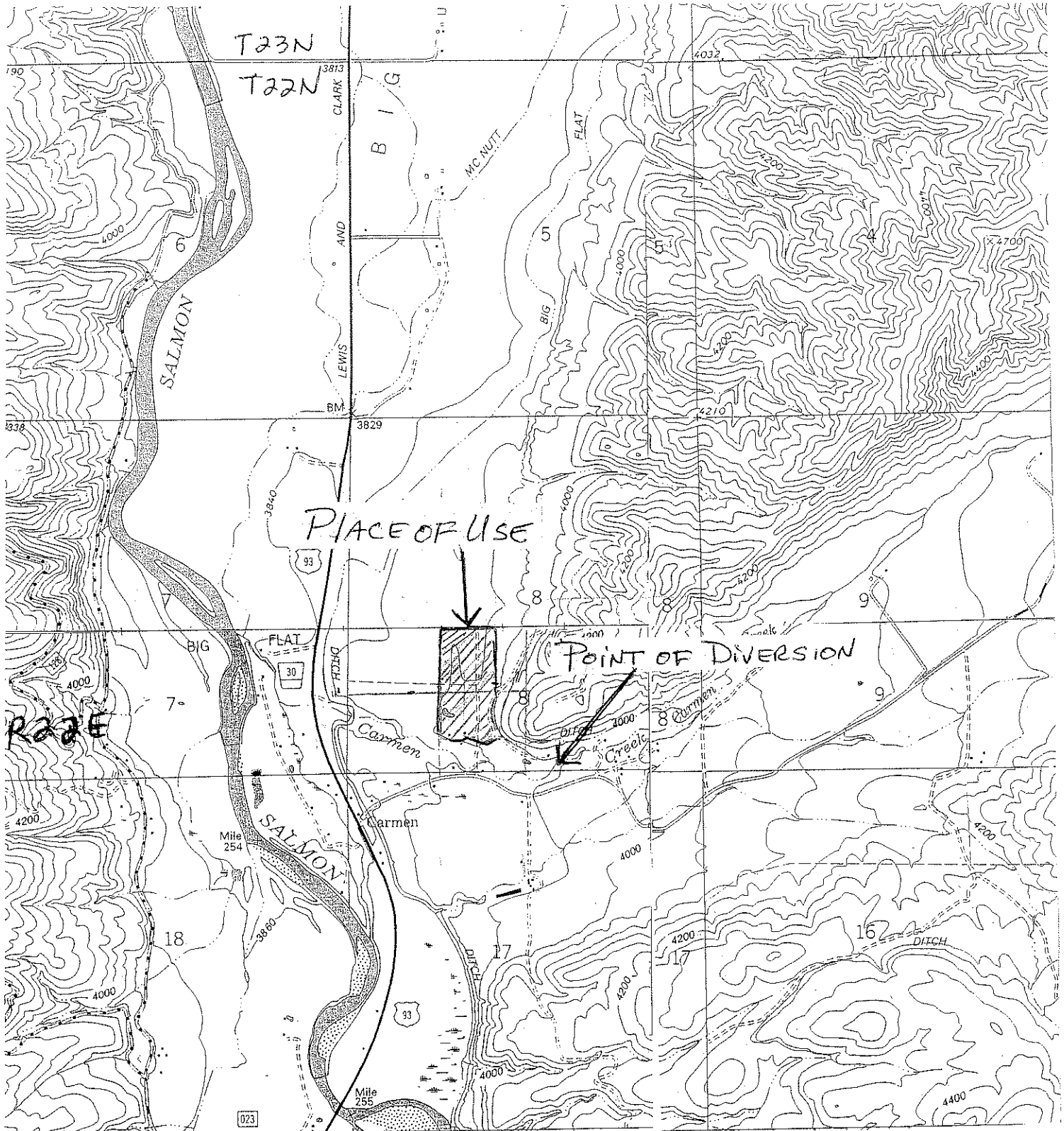
Signature _____

Address _____

Date _____

Last Name Antelope Hills Ident. Number 75-2118
Homeowners Assoc.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.



Last Name Antelope Hills
Homeowners Assoc.

Ident No. 75-2118

Antelope Hills Homeowner Assoc.

Water Rights in T22N. R22E, Sec. 8

Owner	NESW	NWSW	SESW	NWSE	Total by Owner	Lot #
Bingham	5.2				5.2	14
Carr		9.5			9.5	1N
Dean			11		11	1F
Hurst	0.3		2		2.3	6
Meacham	8.6				8.6	1J
Myers	6.4	18			24.4	1I
Ridihalgh		9.1			9.1	1M
Rieffenberger	4.5				4.5	12
Totals	25	36.6	13		74.6	
Asher	0.4		3.9		4.3	5
Clift	3.7				3.7	11
Kimball	1.8			1.1	2.9	15
Spain	3.2			0.5	3.7	13
	9.1		3.9	1.6	14.6	
Total					89.2	

Recommended Water Rights

Basin 75

Priority	Date
1875	1882
14077	14078
14080	14086
13996	14340
13997	14341
14452	14454
14451	14453
140811	14087
14079	14085
14315	14317
14316	14318
63D	10061AL
63C	10061AK
	10062AJ
	10062AK
	10629
	10827

1875 1882 1884 1915
14077 14078 14083 14084
14080 14086

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 75-14459
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Antelope Hills Homeowners Assoc. Phone (208) 756-4370
Mailing Address P.O. Box 232, CARMEN, ID. Zip 83402
2. Date of Priority (Only one (1) per claim) 05/01/1984
3. Source of water supply (a) CARMEN CREEK
which is tributary to (b) SALMON RIVER
4. a. Location of existing point of diversion is: Township 22N Range 22E Section 9,
SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Headgate AND ditch

DISTRICT COURT - SREA
TWIN FALLS, ID. IDAHO
FILED
2007 APR 27 9 11 AM '07

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)
For Irrigation purposes from 4/01 to 10/31 amount 0.30 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.30 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 125 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	22E	8									25	36.6		13					74.6

Total number of acres irrigated 74.6

11. In which county (ies) are lands listed above as place of use located? Kenhi

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

75-13996, 75-13997, 75-14077 thru 75-14081, 75-14083 thru 75-14087 or None ()

14. Remarks: 75-14340, 75-14341, 75-14451 thru 75-14454,

#12 Water Rights ARE BEING claimed and will be held by
the Antelope Hills Home Owners Assoc. for the subdivision.
See attachment to cover letter giving Authorization
to the Homeowners Assoc. to hold ownership of water rights.
#13 See attached spreadsheet for subdivision water rights.

Last Name Antelope Hills Ident No. 75-14459
Homeowners Association

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 75-14459
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY
Title
of Antelope Hills Homeowners Assoc. , that I have signed the foregoing
Organization
document in the space below as SECRETARY of Antelope Hills Homeowners
Title Organization Association
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Cheryl Kieffer

Title and Organization Secretary, Antelope Hills
Homeowners Assoc.

Date 4-18-2007

State of Idaho/or X)
County of Lewi) SS.

Subscribed and sworn (or affirmed) before me this 18 day of April 2007

SEAL

NOTARY
PUBLIC

Notary Public Don McKinley

Residing at Salmon, Idaho

My Commission Expires 06-23-2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

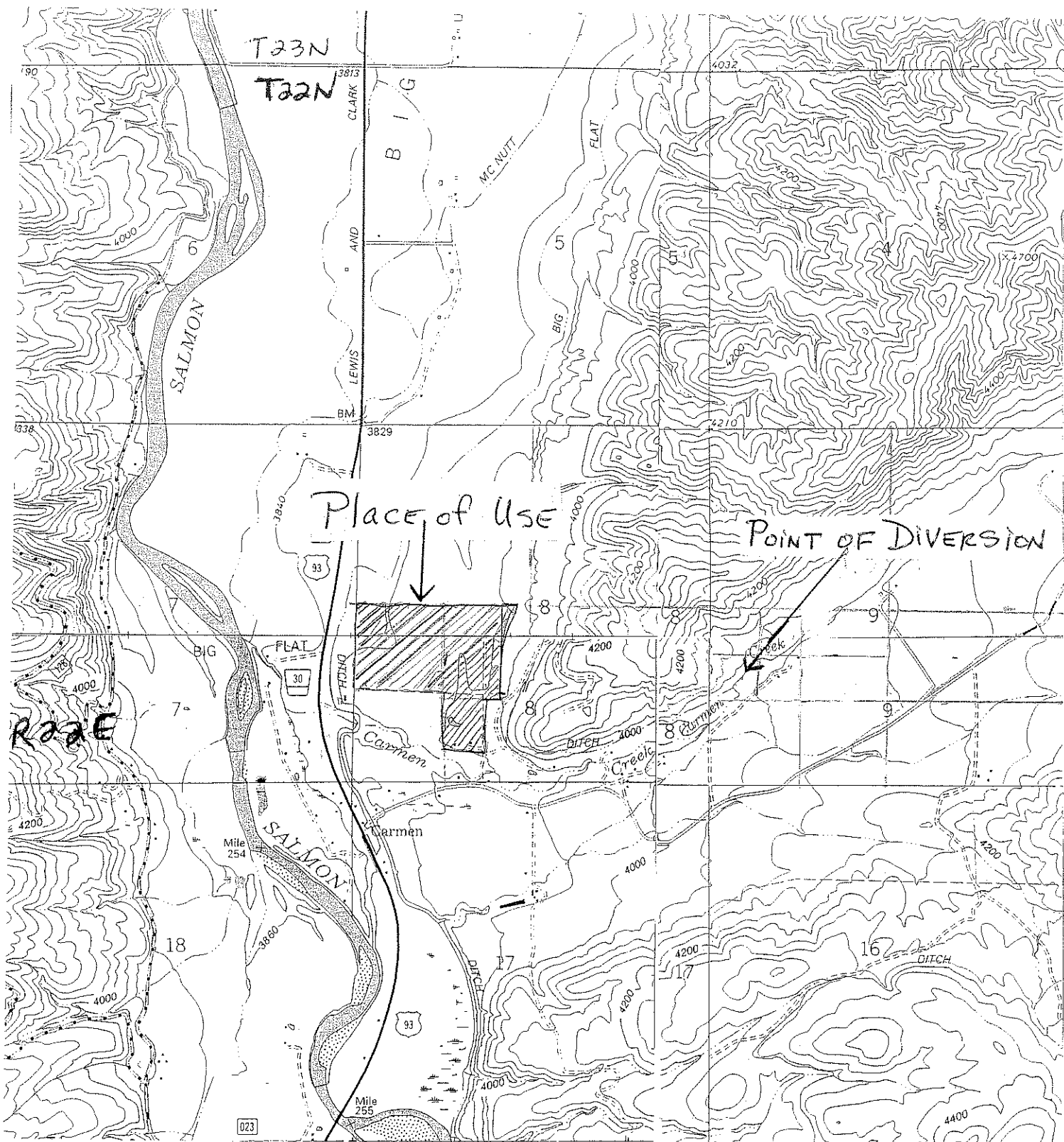
Signature _____

Address _____

Date _____

Last Name Antelope Hills Ident. Number 75-14459
Homeowners Association

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.



Last Name Antelope Hills Ident No. 75-14459
Homeowners Association

Antelope Hills Homeowner Assoc.

Water Rights in T22N, R22E, Sec.8

Owner	NESW	NWSW	SESW	NWSE	Total by Owner	Lot #
Bingham	5.2				5.2	14
Carr		9.5			9.5	1N
Dean			11		11	1F
Hurst	0.3		2		2.3	6
Meacham	8.6				8.6	1J
Myers	6.4	18			24.4	1I
Ridinalgh		9.1			9.1	1M
Rieffenberger	4.5				4.5	12
Totals	25	36.6	13		74.6	
Asher	0.4		3.9		4.3	5
Clift	3.7				3.7	11
Kimball	1.8			1.1	2.9	15
Spain	3.2			0.5	3.7	13
	9.1		3.9	1.6	14.6	
Total					89.2	

Recommended Water Rights

Basin 75

Priority Date

1875	1882	1884	1915
14077	14078	14083	14084
14080	14086		
13996	14340		
13997	14341		
14452	14454		
14451	14453		
140811	14087		
14079	14085		
14315	14317	14319	14321
14316	14318	14320	14322
63D	10061AL	10062AK	10629
63C	10061AK	10062AJ	10827

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14460

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Antelope Hills Homeowners Assoc. Phone (208) 756-940Mailing Address P.O. Box 232, CARMEN, ID.Zip 834022. Date of Priority (Only one (1) per claim) 04/01/19153. Source of water supply (a) CARMEN CREEKwhich is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 22N Range 22E Section 9,SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Headgate and ditchDISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 APR 27 5 06 PM '07

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 10/31 amount 1.75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 321 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	22E	8									25	36.6		13					74.6

Total number of acres irrigated 74.6

11. In which county (ies) are lands listed above as place of use located? Kemhi

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. 75-13996, 75-13997, 75-14077 thru 75-14081, 75-14083 thru 75-14087 or None ()

14. Remarks: 75-14340, 75-14341, 75-14451 thru 75-14454 SEE ATTACHED Spreadsheet.

#8 - Total consumptive use is an estimate based on using this right for 3 months. Usually by late June/early July - 1915 water is turned off by watermaster.
#12 Water rights are being claimed and will be held by the Antelope Hills Homeowners Assoc. for the subdivision. SEE ATTACHMENT to cover letter giving authorization to the Homeowners Assoc. to hold ownership of water rights.

Last Name Antelope Hills Ident No. 75-14460
Homeowners Association

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-14460
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY
Title

of Antelope Hills Homeowners Association, that I have signed the foregoing
Organization

document in the space below as SECRETARY of Antelope Hills Homeowners
Title Organization Association

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Elizabeth Rieffenberg

Title and Organization Secretary, Antelope Hills

Date 4-18-2007

Homeowners Assoc.

State of Idaho or _____)
County of Benli) SS.

Subscribed and sworn (or affirmed) before me this 18 day of April 2007

SEAL

NOTARY
PUBLIC

Notary Public Don C. Mulkey

Residing at Salmon

My Commission Expires 06-23-2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

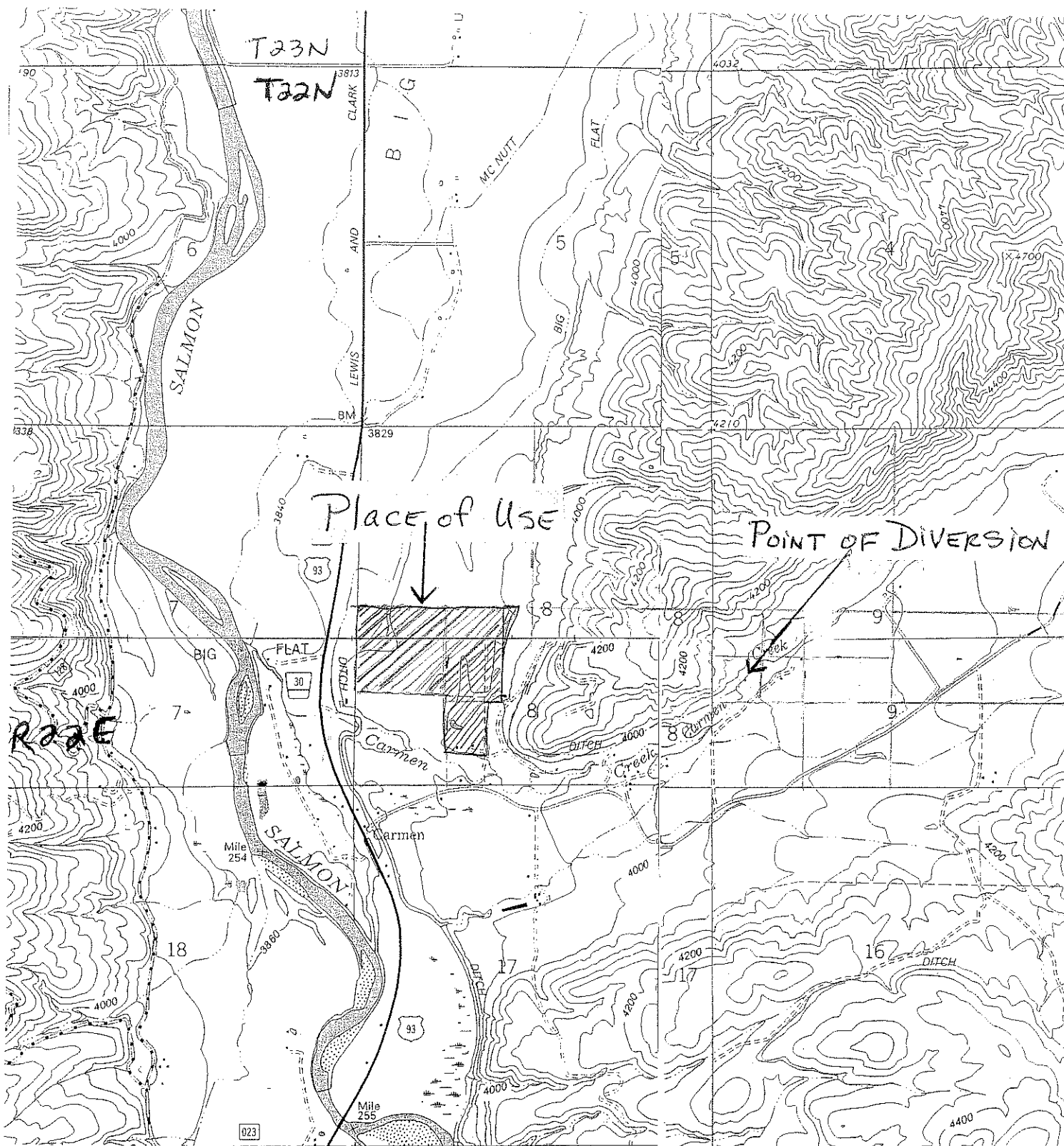
Signature _____

Address _____

Date _____

Last Name Antelope Hills Ident. Number 75-14460
Homeowners Association

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.



Last Name Antelope Hills Ident No. 75-14460
Homeowners Association

Antelope Hills Homeowner Assoc.

Water Rights in T22N. R22E, Sec.8

Owner	NESW	NWSW	SESW	NWSE	Total by Owner	Lot #
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Carr		9.5			9.5	1N
Dean			11		11	1F
Hurst	0.3		2		2.3	6
Meacham	8.6				8.6	1J
Myers	6.4	18			24.4	1I
Ridihalgh		9.1			9.1	1M
Rieffenberger	4.5				4.5	12
Totals	25	36.6	13		74.6	
Asher	0.4		3.9		4.3	5
Clift	3.7				3.7	11
Kimball	1.8			1.1	2.9	15
Spain	3.2			0.5	3.7	13
	9.1		3.9	1.6	14.6	
Total					89.2	

Recommended Water Rights

Basin 75

Priority	Date
1875	1882
14077	14078
14080	14086
13996	14340
13997	14341
14452	14454
14451	14453
140811	14087
14079	14085
14315	14317
14316	14318
63D	10061AL
63C	10061AK
	10062AJ
	10062AK
	10629
	10827

Idaho Department of Water Resources Receipt

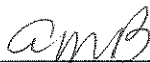
Receipt ID: C085276

Payment Amount \$600.00 Date Received 11/7/07 12:09 Region STATE
Payment Type Check Check Number 101
Payer ANTELOPE HILLS HOMEOWNERS

Comments 75-2118

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$600.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Department Representative)