



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

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DEPARTMENT OF
WATER RESOURCES

December 5, 2007

ANTELOPE HILLS HOMEOWNERS ASSOCIATION
PO BOX 232
CARMEN, ID 83162

75-2118

Re: Signature on Notice of Claim

Dear Claimants:

The Notice of Claim to a Water Right (claim) identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). In order for us to review your claim, all elements of the claim must be complete. The claim has not been signed. Please sign the claim and return it to me at this office so review can proceed.

If you have any questions, please feel free to contact me at (208) 287-4907.

Sincerely,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

*Sorry.
I have signed them now
Elizabeth Gifford
Secretary, Homeowners
Assoc.*

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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) 756-4340
Mailing Address P.O. Box 232, CARMEN, ID. Zip 838122. 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 ditch

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DISTRICT COURT - CRBA
TWIN FALLS CO. IDAHO
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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:

#3 - 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

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____ 75-2118
If applicable provide IDWR Water Right Number _____
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) Elizabeth Proffenberg Date 12/12/07
_____ 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 Assoc.
_____ Title _____ Organization _____

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

Signature of Authorized Agent Elizabeth Proffenberg

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.

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Topographic map of the Salmon River area. The map shows the Salmon River, Big Flat, and Carmen Creek. Handwritten annotations include:

- T23N** and **T22N** (Township coordinates)
- CLARK** (Range)
- BIG** (Section)
- MC NUTT** (Section)
- FLAT** (Section)
- SALMON** (River)
- Carmen** (Creek)
- Point of Diversion** (Handwritten label with an arrow pointing to a location on Carmen Creek)
- Place of Use** (Handwritten label with an arrow pointing to a shaded rectangular area)
- Mile 254** and **Mile 255** (Mile markers)
- 023** (Section number)

The map also shows contour lines, a grid, and various place names like 'Mile 254' and 'Mile 255'.

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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
Ridhaigh		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
	14321
	14322
	14320
	14083
	14084
	1915

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DEPARTMENT OF
WATER RESOURCES

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

NOV - 6 2007

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.

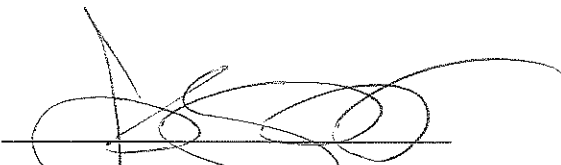
ORDER

Page 1 of 2

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DEC 14 2007

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Dated Nov. 6, 2007



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER

SCANNED
DEC 14 2007

Page 2 of 2

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NOV 07 2007

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

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DEC 14 2007

ORDER

Page 1 11/06/07

FILE COPY FOR 00220

Deputy Clerk

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