

10/17/2006

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

RIGHT NUMBER: 79-14011

NAME AND ADDRESS: DAVID DOTTERWEICH
PO BOX 153
RIGGINS ID 83649

SOURCE: SOUTH FORK RACE CREEK

TRIBUTARY: RACE CREEK

QUANTITY: 0.170 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/25/1908

POINT OF DIVERSION:

T24N R01E S5 SESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.150 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S04 NWSW 1.00

STOCKWATER same as IRRIGATION

1 ACRES TOTAL

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.

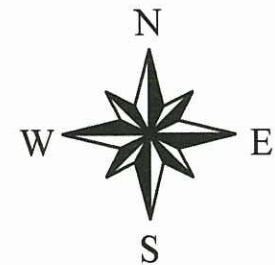
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

79-14011

T24N R01E
Section(s) 4

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 23, 2004
Photography: Aerial Photo
Idaho Department of Water Resources

0 1000 2000 3000 Feet

A horizontal scale bar with four segments. The first segment is labeled '0', the second '1000', the third '2000', and the fourth '3000 Feet'. The bar is black with white outlines.

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 79-14011
Date Received: 7/21/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID DOTTERWEICH
PO BOX 153
RIGGINS ID USA 83649

Phone: (208)628-3605

2. Date of Priority: 07/01/1900

3. Source: RACE CREEK SOUTH FORK Trib. to: RACE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	01E	5	SW SE	IDAHO	
24N	01E	8	NW NW	IDAHO	
24N	01E	5	SE SE	IDAHO	

5. Description of diverting works:

DIVERSION DAMS, UNLINED DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/30	0.03	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	4	NW	SW	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 79-4129. DH 5/29/2002

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
APR 27 1998
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: A79-13602 A79-04129
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Clifford PGalli
4. New Owner/Claimant(s): David Potterwick
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: PO 153
 City, State and ZIP Code: Riggins ID
 New Telephone Number: 203 128 3605
5. Date you acquired the property: _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Split of instream stock claim

 Number of acres you irrigate 1 Number and type of stock 10 CATTLE / 20 sheep / 5 horses
 Diversion rate in CFS .02 Number of homes 1 Other uses _____ No access to West Fork
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): [Signature]
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

8/12/78

DATE: 04/14/98
PAGE: 1

DIVERSION
VOLUME

0-63-CFS-03

TOTAL DIVERSION:
CONSUMPTIVE USE:-

07-10 12:31	0.69 cfs
01-01 12:31	0.50 cfs

	0.05 cfs
	-0.02
	0.03 cfs

-67-08-AFA-

Stage: STATUTORY CLAIM

IDAHO County
IDAHO County

32

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7CNC

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[illegible]
$$\frac{0.5}{1} = 0.5$$

0.01 : 10.0

..

ADDITIONAL ACRES

1

1

Objection: Elliptical

— 1922

3

9 ac
70 ac

11

1 acre To New
owner (.02 CFS
only)
4 acres To
original owner.

1 acre To New

398989

WARRANTY DEED

INDEXED
TRACTED
FILED
ASSIGNED

FOR VALUE RECEIVED, Clifford P Galli, a married man dealing with his sole and separate property; but joined herein by his wife, Pamela J Galli

the grantors, do hereby grant, bargain, sell and convey unto David J Dotterweich, a single man.

the grantees, the following described premises, in Idaho County, Idaho, to-wit:

SEE ATTACHED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawfull claims whatsoever.

Dated: March 31, 1998

<i>Clifford P Galli</i> <i>Pamela J Galli</i>	
STATE OF IDAHO, COUNTY OF <i>Idaho</i> —ss. On this <i>30</i> day of <i>March</i>, 19<i>98</i>, before me, a notary public in and for said State, personally appeared <i>Clifford P Galli and Pamela J Galli</i> known to me to be the person's whose name I subscribed to in the within instrument, and acknowledge to me that they executed the same. <i>William L Workman</i> Notary Public Idaho. Residing at <i>Regina</i> My commission expires <i>7/8/99</i>	STATE OF IDAHO, COUNTY OF <i>Idaho</i> —ss. I Hereby Certify that this instrument was filed for record at the request of <i>Clifford P Galli</i> at <i>30</i> minutes past <i>3:00</i> o'clock <i>P</i> M., this <i>31st</i> day of <i>March</i>, 19<i>98</i> in my office, and duly recorded in Book of Deeds at Page ROSE E. GEHRING Ex-officio Recorder <i>Ann J. Stroup</i> Deputy Fees \$<i>12.00</i> Mail to: <i>P.O. Box 469 Regina, MT 59549</i>

INSTRUMENT NO.

Galli

To

David J Dotterweich

A parcel of property which is located within the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of section 4, T 24 N, R 1 E, B.M., Idaho County, Idaho, which parcel is more particularly described from a survey as follows:

Beginning at the NW corner of said section 4, thence S 0°30'04" E 2629.718' to the West $\frac{1}{4}$ corner of section 4, thence S 45°04'43" E 1234.232' to a set 5/8" property pin which is the initial point of beginning,

thence	N 66°23'20" E	65.127'	to a re-set corner of Tax Lot #164,
thence	N 79°02'23" E	163.286'	to a found corner of Tax Lot #164,
thence	S 29°26'54" E	188.610'	along a line common with Tax Lot #164 to a point in the South Fork of Race Creek,
thence	S 62°55'18" W	218.098'	meandering along the center of the South Fork of Race Creek,
thence	S 80°26'29" W	128.367'	continuing along the center of the creek,
thence	N 10°47'02" W	74.536'	
thence	N 77°35'53" E	100.660'	
thence	N 29°51'59" W	153.218'	following an old fence line back to the initial point of beginning,

Which parcel contains some 1.30061 acres.

for CDE Galli
March 6, 1996
GALLERON

1 of 2

by CE ENGINEERING
GRANGEVILLE ID.
(208) 963-2666

Reservation:

Reserving herefrom is a 12' wide ingress and egress easement over and across the above described parcel which easement is described by a centerline survey as follows:

Starting at the initial point of beginning of the above described parcel, thence
S 29°51'59" E 24.161' along the Westerly property line to a point of intersection with the
centerline of this easement, which is the point of beginning,

thence N 54°24'16" E 89.053'

to a point of intersection with the
Northerly property line and the
termini of the centerline of this
easement.

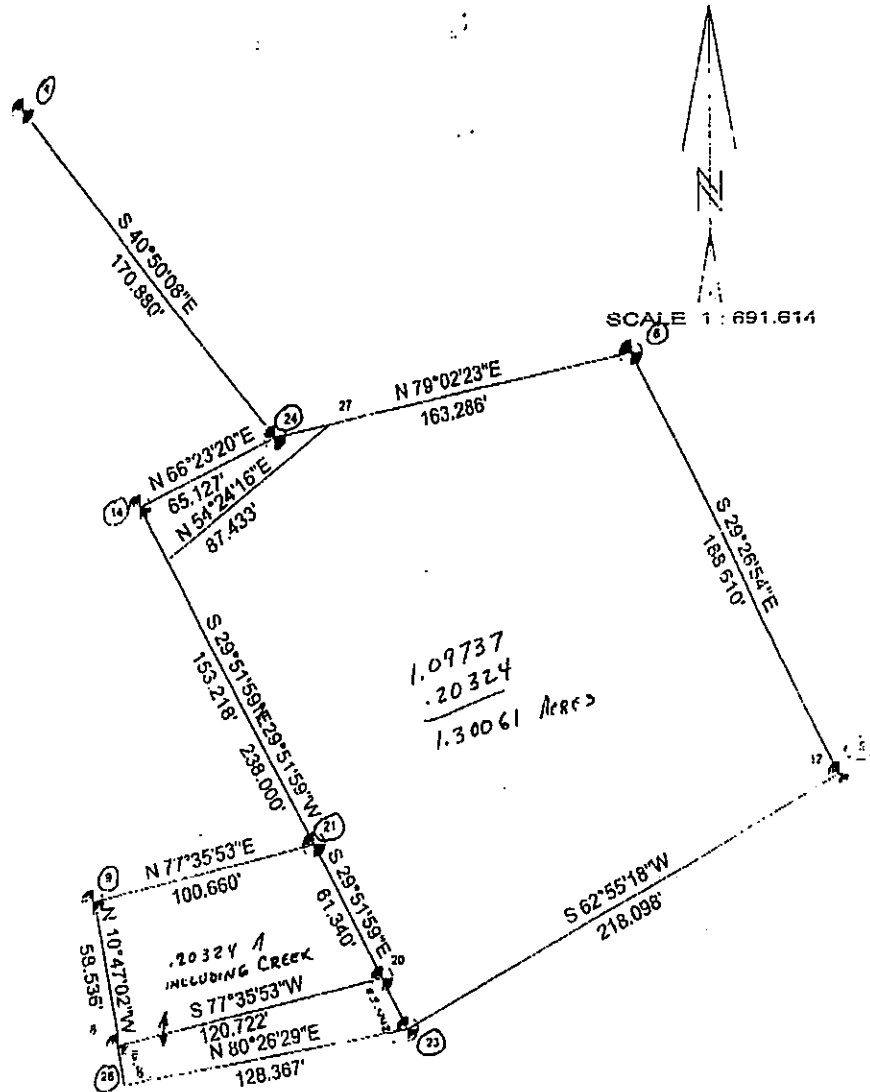


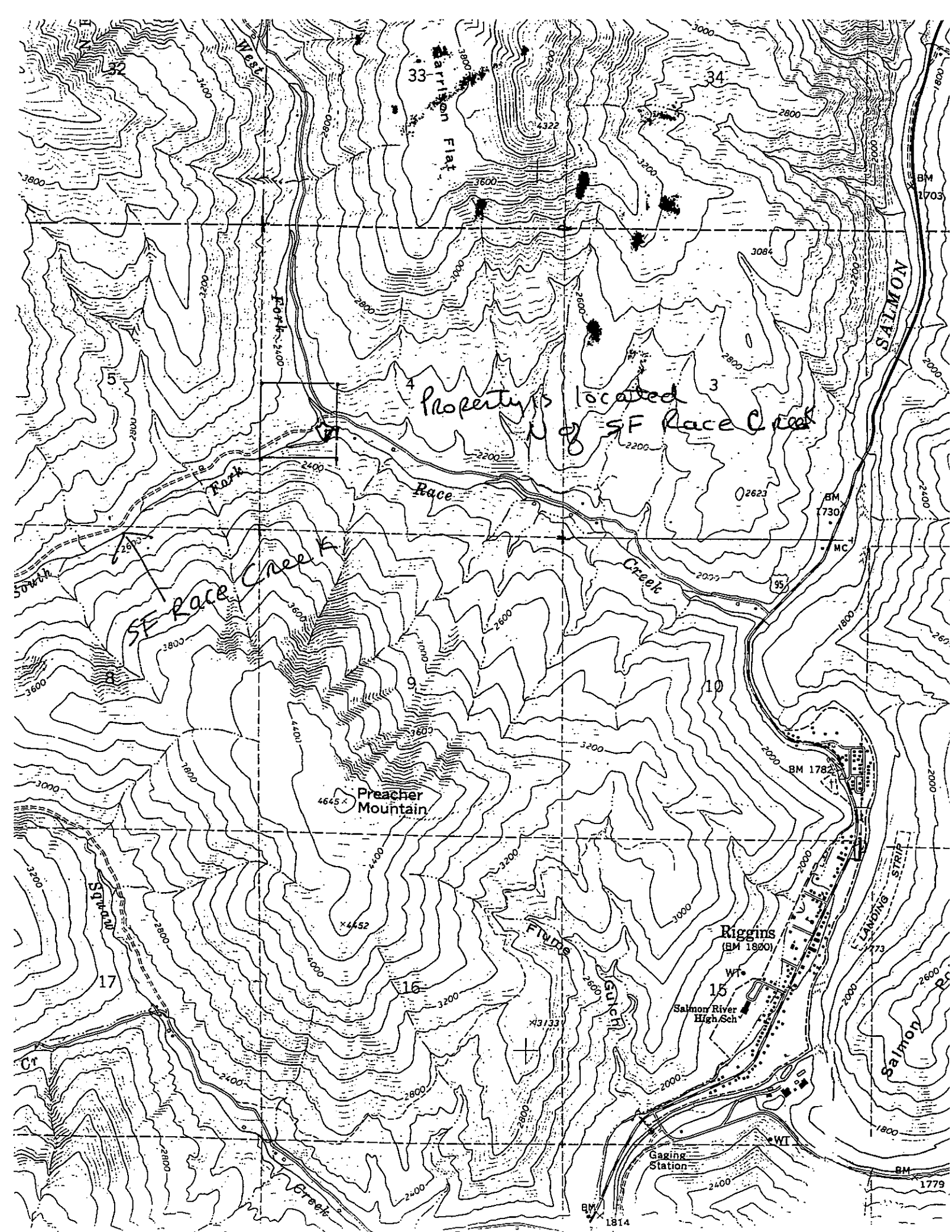
for Cliff Chalk
March 6, 1998
GALLERON

2 of 2

by THE ENGINEERING
GRANTVILLE ID.
(208) 943 2666

RECEIVED
 APR 14 1998
 WATER RESOURCES
 WESTERN REGION

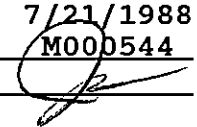




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A79-04129
Date Received: 7/21/1988
Receipt No: M000544
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLIFFORD P GALLI
Address: PO BOX 1142
RIGGINS ID

83549

2. Date of Priority: JUL 1, 1900

3. Source: RACE CREEK, SOUTH FORK Trib. to: RACE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	5		SW	SE		IDAHO
				SE	SE		IDAHO
		8		NW	NW		IDAHO

5. Description of diverting works:
DIVERSION DAMS, UNLINED DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/30	0.630		
STOCKWATER	01/01	12/31	0.300		

7. Total Quantity Appropriated is:
0.930 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
100 HEAD OF BEEF CATTLE

~~MICROFILMED~~
OCT 24 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	4	NW	SW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
		5	SW	SE	IRR	5.0
			SE	SE	IRR	5.0
					Section Acres	10.0
		8	NE	NW	IRR	5.0
			NW	NW	IRR	1.0
					Section Acres	6.0
					Total Acres	21.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

[Handwritten Signature]

Date:

4/26/95

Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of APRIL 19 95

Seal

Residing at

My Commission Expires

Jan Shute
Notary Public

Meridian ID

9-14-2000