

03/15/2006

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

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RIGHT NUMBER: 78-4111

NAME AND ADDRESS: WEIRATHER FAMILY TRUST, ELAINE WEIRATHER TRUSTEE  
1400 VIRGINIA WAY  
LA JOLLA CA 92037-3808

SOURCE: GROUND WATER      \*      TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 04/01/1957

POINT OF DIVERSION:

T22N R01E S34 NENE Within IDAHO County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DOMESTIC              | 01/01 12/30          | 0.040 CFS       |

PLACE OF USE: DOMESTIC Within IDAHO County

T22N R01E S34      NENE

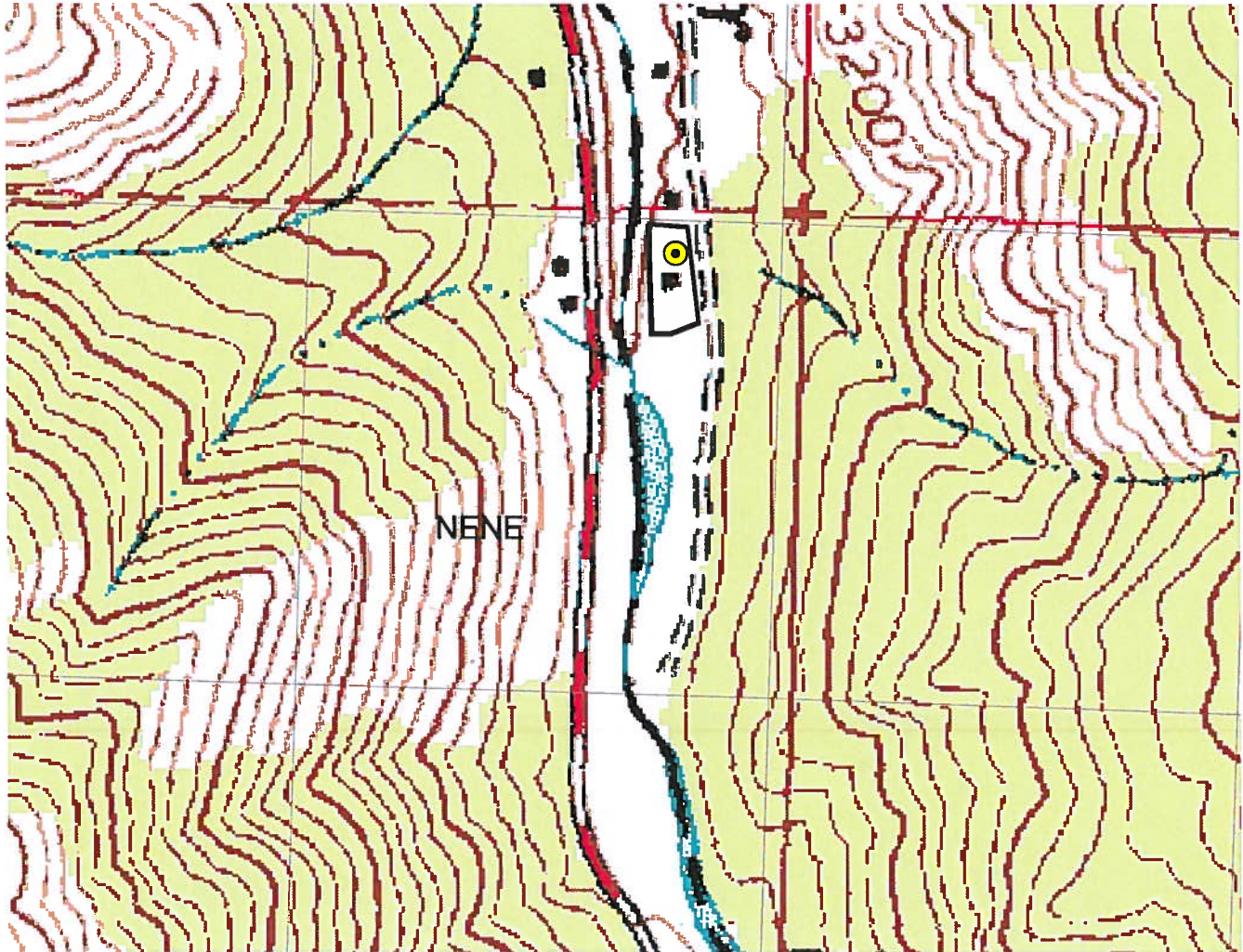
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

# 78-4111



0 300 600 Feet



Section 34  
T22N R1E



 Point of Diversion

 Place of Use

Map prepared on March 15, 2006  
By Kenneth Knoblock  
Idaho Department of Water Resources



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 15, 2006

Elaine Weirather  
1400 Virginia Way  
La Jolla, CA 92037

RE: 78-4111

Dear Ms. Weirather:

Enclosed is your receipt for the filing fee for the Notice of Claim to a Water Right. A copy of the preliminary recommendation is enclosed.

If you have any questions feel free to contact us.

Sincerely,

Kenneth Knoblock  
Water Resources Agent

Cashier  
check

RECEIVED

7 2006

DEPARTMENT OF  
WATER RESOURCES

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 78-4111

Date Received:

Receipt No:

Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

WEIRATHER FAMILY TRUST  
ELAINE WEIRATHER TRUSTEE  
1400 VIRGINIA WAY  
LA JOLLA CA USA 92037-3808

Phone: (858)459-8871

2. Date of Priority: 04/01/1957

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 22N      | 01E   | 34      | NE NE                 | IDAHO  |      |

5. Description of diverting works:

1 WELL APPROXIMATELY 100 FEET DEEP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) A.F.A |
|----------|-------|-------|--------|------------|
| DOMESTIC | 01/01 | 12/30 | 0.04   |            |

7. Total Quantity Appropriated is:

0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses: 1 HOME

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use      | Acres |
|----------|-------|---------|----------------|----------|-------|
| 22N      | 01E   | 34      | NE NE          | DOMESTIC |       |

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:

15. Basis of Claim: Beneficial Use

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 X 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): Elaine Weirather Date: 2/23/06  
\_\_\_\_\_  
Date: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title

\_\_\_\_\_, that I have signed the foregoing

Organization  
document in the space below as \_\_\_\_\_ of  
Title

\_\_\_\_\_, and that the statements contained in the  
Organization  
foregoing document are true and correct. \_\_\_\_\_

Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

RL CALIFORNIA  
State of ~~Idaho~~

County of San Diego ) SS. BY: Elaine Weirather who  
proved same

Subscribed and sworn (or affirmed) before me this 23rd day

of February 2006

[Signature]

Notary Public

Residing at San Diego, CA

My commission Expires Oct 31, 2006

