

MAR-03-1997
0023

1

RIGHT NUMBER: 72-10390

NAME AND ADDRESS:

NATALIE RIGGIN NEAL
1765 GARNET AVE #43
SAN DIEGO CA 92109

SOURCE:

SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY:

0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE:

12/29/1949

POINT OF DIVERSION:

T12N R19E S19

NENWSW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

STOCKWATER
DOMESTIC 1 HOME.

PERIOD OF USE
01-01 12-31
01-01 12-31

QUANTITY
0.02 CFS
0.04 CFS

PLACE OF USE:

STOCKWATER
T12N R19E S19

Within CUSTER County
NWSW

DOMESTIC
T12N R19E S19

Within CUSTER County
NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP00085000060A
PROPERTY ALSO KNOWN AS LOT 6, TUNNEL ROCK ACRES SECOND ADDITION.
STOCKWATER CATTLE, 2 HORSES



DATE: 01/17/97
PAGE: 30

DIVERSION RATE DIVERSION VOLUME

0.02 CFS
0.04 CFS

Stage: BENEFICIAL USE

CUSTER COUNTY

35

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: SWSE SESE
: Lt AC Lt AC
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: SWSE SESE
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LE, 2 HORSES

NNEL ROCK ACRES SECOND ADDITION

ed Date: 5/5/20

ed Date: 5/5/20

Inspection Flag:

Inspection Flag:

01/14/97 D&S-DSHA

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: A72-10390
Date Received: 1/08/1990
Receipt No: S010861
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NATALIE RIGGIN NEAL 619-272-3330
Address: 1765 GARNET AVE. #43
SAN DIEGO, CA 92109

2. Date of Priority: DEC 29, 1949

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	19E	19	NE	NW	SW		CUSTER

5. Description of diverting works:
ELECTRIC PUMP, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/CATTLE, 2 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	19E	19	NW	SW		DOMEST	
			NW	SW		STOCK	

A72-10390

Page 1

Date: 01/08/90

MICROFILMED
MAR 19 1993

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
LT 6, TUNNEL ROCK ACRES SECOND ADDITION.

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

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

JAN 8 1990

CIVIL CASE NUMBER: 39576

Department of Water Resources
Southern Region OfficeIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Identification No. _____

Date Received _____

Receipt Number _____

RECEIVED

NOV 27 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

NOV 28 1989

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) NATALIE RIGGIN NEAL Phone (619) 272-3330Mailing Address 1765 GARNET AVE. #43, SAN DIEGO CA Zip 921092. Date of Priority (Only one per claim) DECEMBER 29, 1949 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (☒) (a) SALMON RIVER
Name or kind of sourcewhich is tributary to (b) SNAKE RIVER4. Location of point of diversion is: Township 12 NORTH Range 19 EASTSection 19 (ALL IN THE WEST HALF) Ne 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of CUSTERAdditional points of diversion if any: DIVERSION POINT SEE ATTACHEDTUNNEL ROCK ACRES SECOND ADD

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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.

DIVERSION POINT ELECTRIC PUMP AND PIPELINE FROM SUMMIT
SEE ATTACHED SURVEY DOCUMENT (LOT #6)

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from JANUARY 1 to DECEMBER 31 amount .04 (cfs)(Both dates are inclusive)
For STOCKWATER purposes from JANUARY 1 to DECEMBER 31 amount .027. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC, 1 HOME; STOCKWATER, CATTLE, 2 HORSES

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MAR 19 1993

10. Place of use is: Township: 12 NORTH Range 19 EAST
Section 19, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes ☒ No _____
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.
☒ None or _____

14. Remarks: LOT #6, TUNNEL ROCK ACRES SECOND ADDITIONAL, ACCORDING TO THE

OFFICIAL PLAT THEREOF NOW ON FILE AT THE OFFICE OF COUNTY RECORDER OF CUSTER COUNTY
SEE: COPY OF WARRANTY DEED AND COPY OF SURVEY DOCUMENT ATTACHED

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 2

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

Signature of Claimant (s) Natalie Digger Neal Date 11/20/89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or CALIFORNIA)
County of SAN DIEGO) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 20th day of November 19 89



Notary Public Karen A. Maguire

Residing at 1765 Garnet Ave, San Diego

My Commission Expires May 3, 1993

Last Name NEAL Ident No. _____

Copies: White-State, Yellow-Claimant **MAR 19 1993**

WARRANTY DEED

For Value Received HAROLD E. RIGGIN and LUELLA P. RIGGIN, husband and wife, of Route 11, Box 357, Olympia, County of Thurston, State of Washington,

The grantor s, do hereby grant, bargain, sell and convey unto NATALIE RIGGIN NEAL, a married woman but as her sole and separate property,

the grantee , whose current address is ~~Route 1, Box 256, Fairfield, Iowa 52556,~~ ^{1765 GARNET AVE. #43, SAN DIEGO, CA 92109}

the following described premises, in Custer County Idaho, to-wit

Lot 6, Tunnel Rock Acres Second Addition Subdivision, according to the Official Plat thereof now on file in the Office of the County Recorder of Custer County, Idaho; all in the West half of Section 19; Township 12 North, Range 19 East, Boise Meridian.

TOGETHER with all minerals and all mineral rights appurtenant thereto.

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

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

September 15, 1987

[Signature]

STATE OF ~~IDAHO~~ ^{Washington} COUNTY OF Thurston
On this 15th day of September 19 87.
before me, a notary public in and for the said State personally
appeared Harold E. Riggin and
Luella P. Riggin, husband and wife,

known or identified to me to be the person S whose name S
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Residing at
Comm Expires

Notary Public
~~XXXXXX~~
Washington

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the
request of
at minutes past o'clock M.,
this day of
19 , in my office, and duly recorded in Book
of Deeds at Page

Ex-Officio Recorder

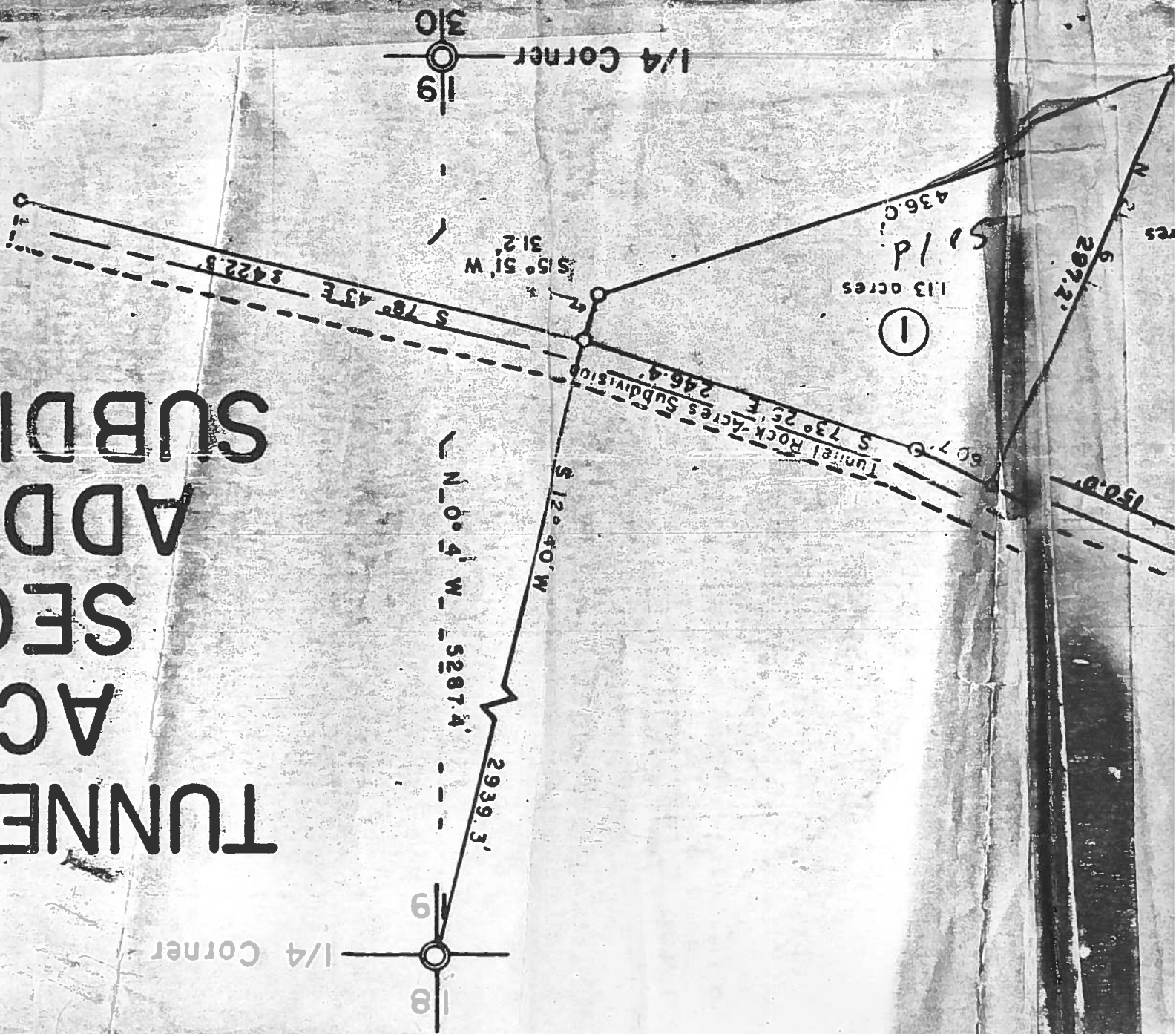
By Deputy

Fees \$
Mail to

INSTRUMENT NO.

TUNNEL ROCK
ACRES
SECOND
ADDITION
SUBDIVISION

1/4 Corner



LEGAL DESCRIPTION

A part of the west half of
Section 19; Township 12 North; Range 19
East; Boise Meridian; County of Custer,
State of Idaho.

NOTARY PUBLIC CERTIFICATION
STATE OF IDAHO
COUNTY OF Cassia
SS

On this 21st day of December 1972 before me Eugene Duell Moore a notary public, personally appeared Joseph M. Anderson

known to me as the persons whose names appear on this instrument and acknowledged by me that they executed the same. Residing in Mindokq County, Idaho.

~~Page 19 of 20~~

RESEARCH SURVEY CERTIFICATION

Eugene J. Moon, a registered Professional Engineer, No. 2255, do hereby attest that the plat depicted hereon was surveyed by me or under my direct supervision and is a true and correct representation

Choirman

18

COUNTY COMMISSIONER'S APPROVAL

at the undersigned
 as shown on this
 agree to the
 as shown as Tunnel Rock
 the owners grant
 portions of land
 for streets and
 forever in addition
 established

SURVEYOR'S CERTIFICATION

I, Eugene Well Moon, a registered Professional Engineer, License No. 2255, do hereby attest that the plat depicted hereon was surveyed by me or under my direct supervision and is a true and correct representation thereof.

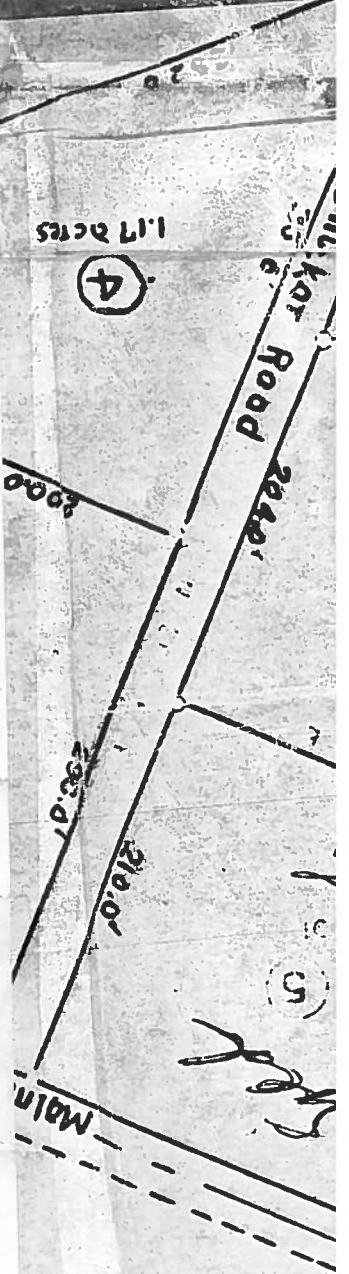
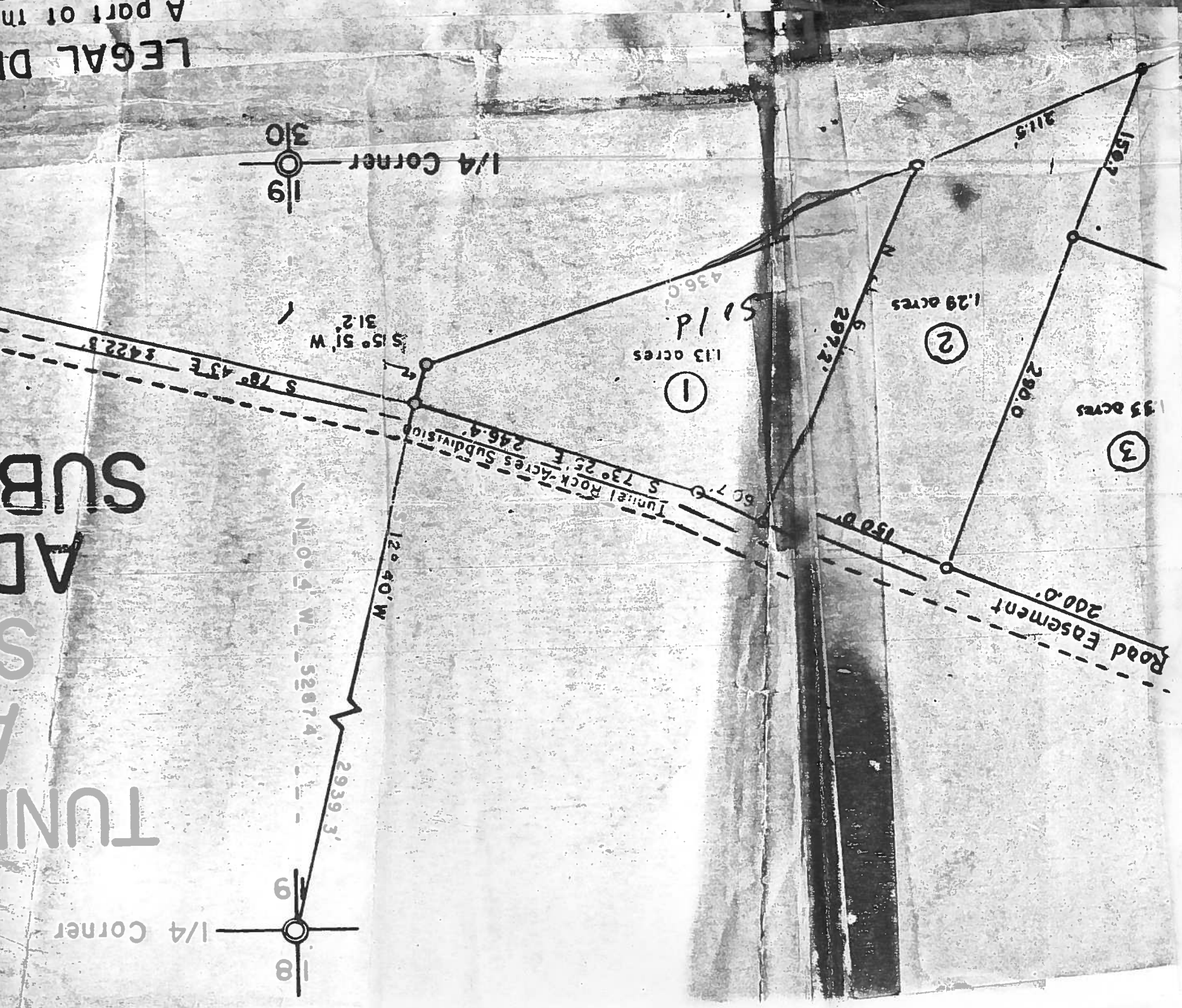
Eugene Well Moon
 Chairman

This is to certify that the plat depicted hereon has been accepted and approved on this 2 day of January 1974, by the Board of County Commissioners of Custer County, Idaho.

COUNTY COMMISSIONER'S APPROVAL

NOTARY STATE OF IDAHO
 On this 21st day of January 1974, personally appeared me Eugene Well Moon known to me and acknowledged the same. Idaho.

LEGAL DESCRIPTION
 A part of the Section 19, T18S, R18E, Boise State of Idaho

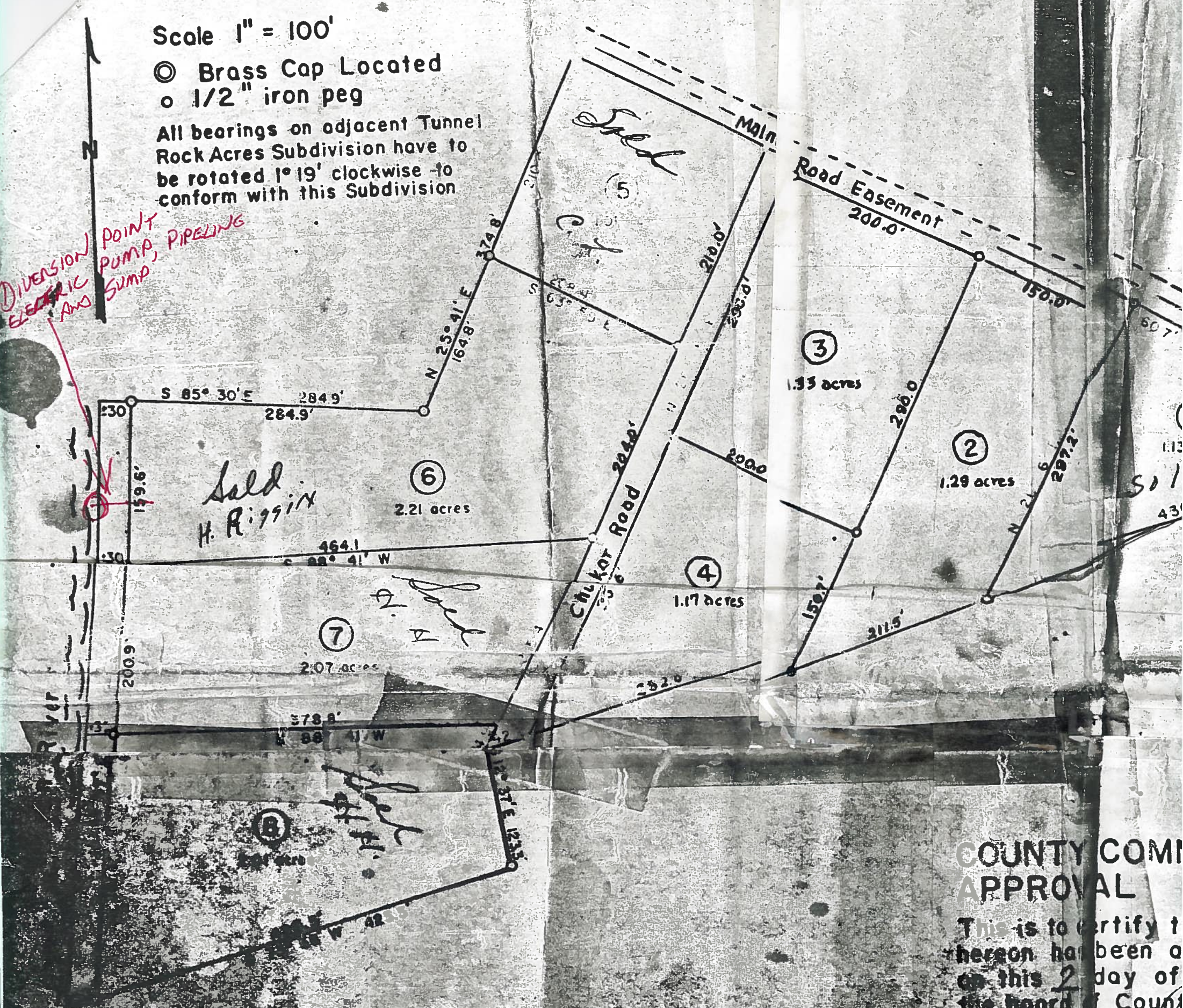


Scale 1" = 100'

- ◎ Brass Cap Located
- 1/2" iron peg

All bearings on adjacent Tunnel Rock Acres Subdivision have to be rotated 1° 19' clockwise to conform with this Subdivision

DIVERSION POINT
ELECTRIC AND
PUMP, PIPELINE
AND
SUMP



DEDICATION STATE OF IDAHO COUNTY OF CUSTER

Know all men by these presents: That the undersigned are the owners of the real property as shown on this plat. Be it further known that they agree to the designations of the real property as shown as Tunnel Rock Acres Subdivision. Further that the owners grant give and dedicate to the public such portions of land as shown on said plat, as set apart for streets and easements for the use of the public forever in addition to those now on record or legally established.

[Signature]

COUNTY COMMISSIONER APPROVAL

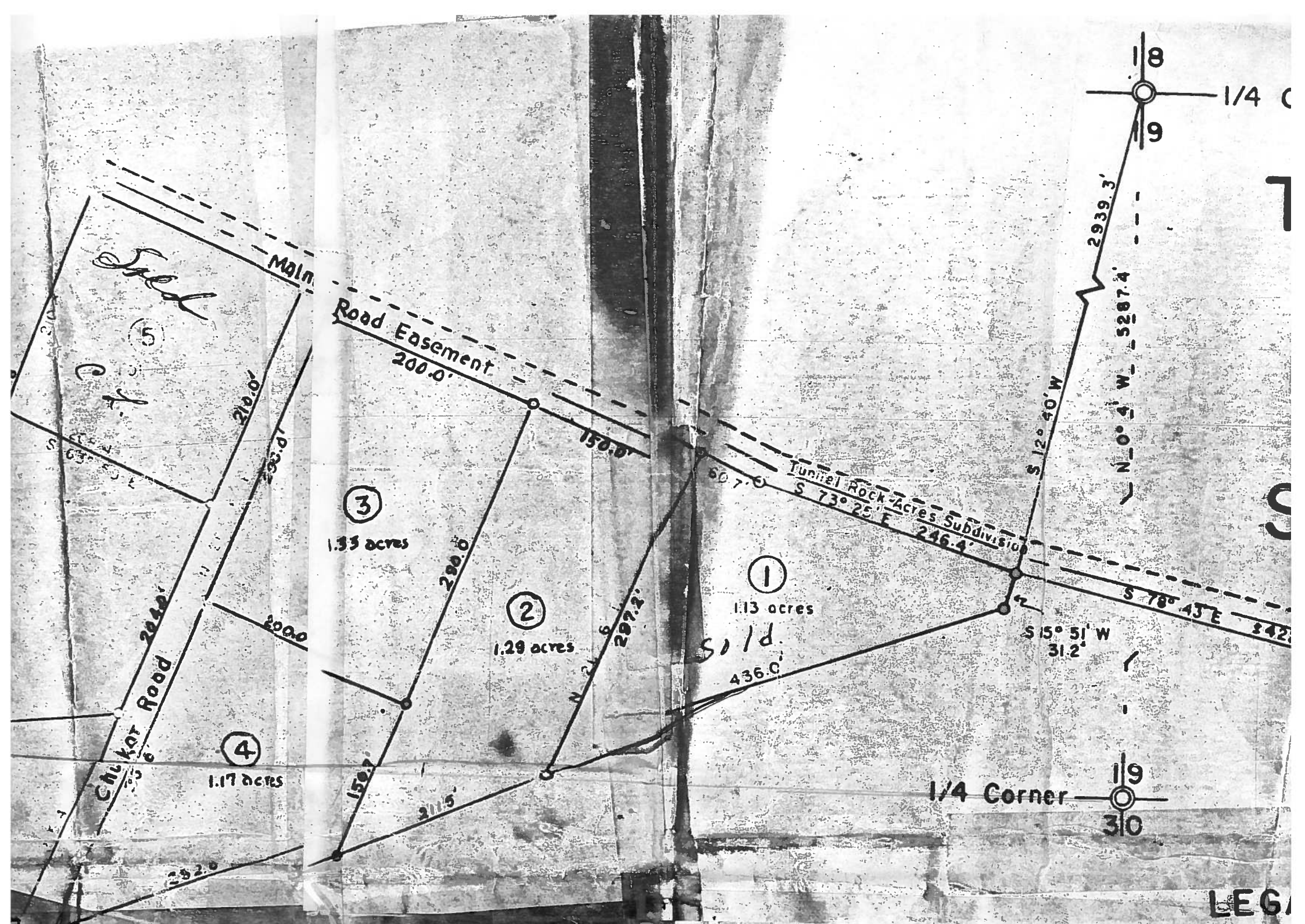
This is to certify that hereon has been approved on this 2 day of the Board of County Custer County, Idaho

[Signature]
Ch

SURVEYOR'S

I, Eugene M. Moore, Engineer, do hereby attest that the plat surveyed by me or under my direction and is a true and correct copy thereof.

Eugene M. Moore



COUNTY COMMISSIONER'S APPROVAL

This is to certify that the plat depicted hereon has been accepted and approved on this 2 day of January 1974, by the Board of County Commissioner's of Custer County, Idaho.

E. B. Hamber
Chairman

SURVEYOR'S CERTIFICATION

I, Eugene M. Moon, a registered Professional Engineer, License No. 2255, do hereby attest that the plat depicted hereon was surveyed by me or under my direct supervision and is a true and correct representation thereof.

Eugene M. Moon 11-24-73

LEGAL
A part
Section
East;
State

NOTA
STAT
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person
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known
names
acknow
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Idaho.

That the undersigned property as shown on this plat they agree to the property as shown as Tunnel Rock that the owners grant public such portions of land set apart for streets and the public forever in addition legally established

BOB WONSTELL
STATE OF IDAHO
DEPT. OF WATER RESOURCES

RECEIVED DEC. 28, 1989

JAN 8 1990

Department of Water Resources
Southern Region Office

DEAR BOB,

THANK YOU FOR SENDING THE PACKET AND FOR THE
CLARIFICATION IN OUR PHONE CONVERSATION.

HERE ARE THE MAIN POINTS:

- ① ENCLOSED IS THE MAP YOU SENT ON WHICH I HAVE CAREFULLY
MARKED OUR PROPERTY BOUNDARY AND HIGHLIGHTED WITH ORANGE.
- ② I HAVE MARKED THE POINT OF DIVENSON
- ③ WE DO NOT, AS YET, HAVE A WELL.
- ④ THE WATER DIVERTED FROM THE SALMON RIVER WILL
BE FOR DOMESTIC USE.
- ⑤ AS I STATED IN OUR CONVERSATION, ALL DOCUMENTS THAT
I SENT DESCRIBE THE PROPERTY LOCATION AND I HAVE
NO WAY OF DETERMINING THE "1/4-1/4" DESCRIPTION OTHER THAN
DRAWING IN THE PROPERTY, AS I HAVE DONE.

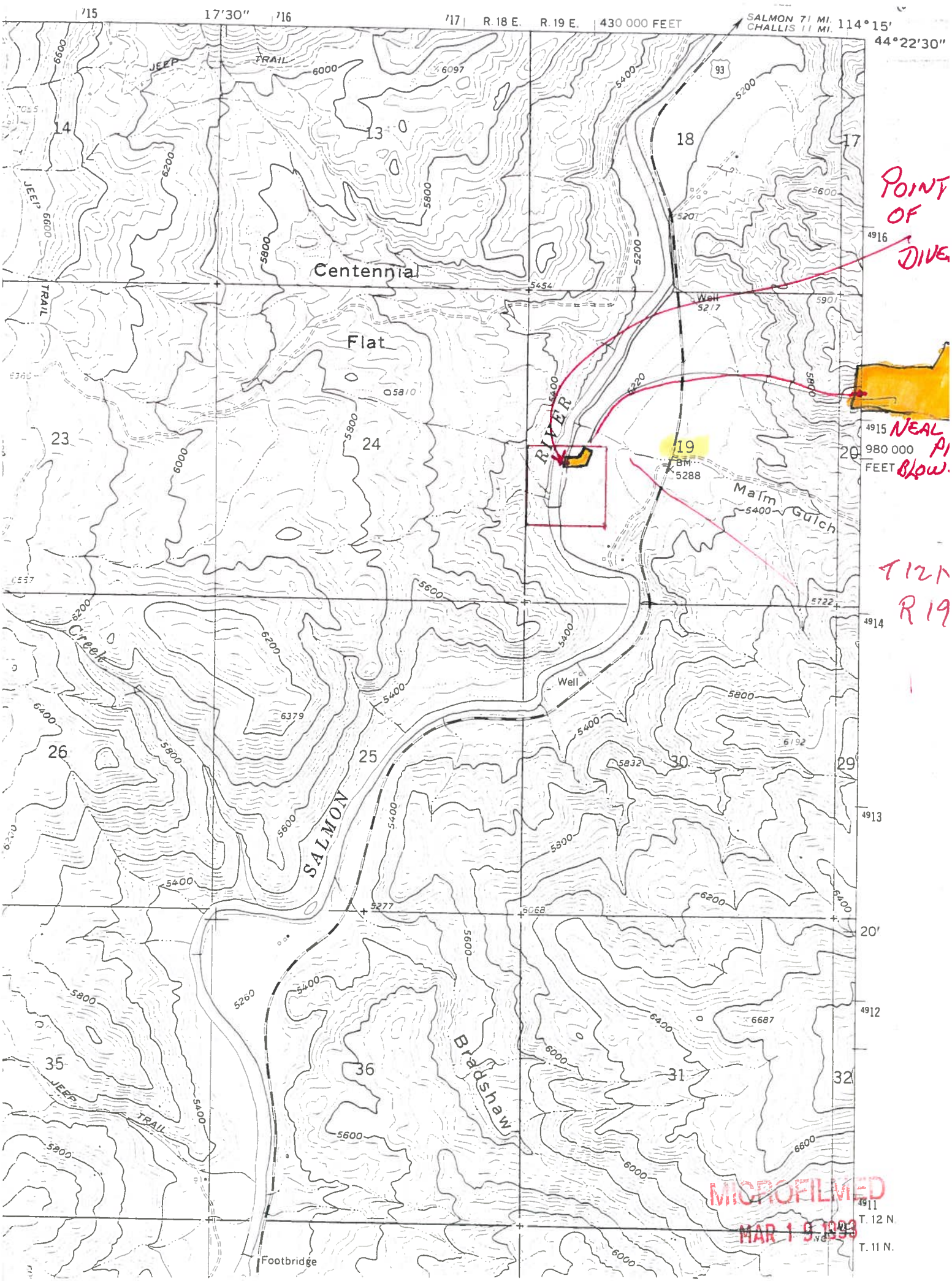
ENCLOSED ALSO IS THE \$25 CHECK AND APPLICATION.

THANK YOU AGAIN FOR YOUR ASSISTANCE.

RESPECTFULLY,



STEPHEN L. NEAL
1765 GANNET AVE. #43
SAN DIEGO, CA 92109
MICROFILMED
MAR 18 1993



POINT
OF
DIVE

NEAL
PI
blow.

T121
R19

MICROFILMED
MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 9, 1990

Re: A72-10390

NATALIE RIGGIN NEAL
1765 GARNET AVE #43
SAN DIEGO CA 92109

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 19 1993

WATER RIGHT NUMBER - A72-10390 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
NEAL

NATALIE RIGGIN

1 - 1765 GARNET AVE. #43

2 -

3 -

CITY- SAN DIEGO

PHONE - 619-272-3330

STATE- CA ZIP- 92109

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
12/29/1949 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - + + - - - - -
SALMON RIVER SNAKE RIVER

+ - - - - - - - - - - - - - - - - - POINT OF DIVERSION - - - - - - - - - - - - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

12N 19E 19 NE NW SW (37) CUSTER

+ - - - - - - - - - - - - - - - - - WATER USE - - - - - - - - - - - - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC
04 - STOCKWATER

01/01 12/31 0.040
01/01 12/31 0.020

+ - - TOTAL DIV. RATE - + + - - TOTAL DIV. VOLUME - + + - - TOTAL DIV. CAPACITY - + + - - TOTAL CONSUMPTIVE USE - + + - - KW USAGE - +
0.060 0.0

+ - - - - - - - - - - - - - - - - - PLACE OF USE - - - - - - - - - - - - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

12N 19E 19 NW SW 04 STOCKWATER
12N 19E 19 NW SW 43 DOMESTIC

(37) CUSTER
(37) CUSTER

+ - - DIVERSION MEANS - ELECTRIC PUMP, PIPELINE

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/CATTLE, 2 HORSES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - - - - - - - - - - - - - REMARKS - - - - - - - - - - - - - - - - +
LT 6, TUNNEL ROCK ACRES SECOND ADDITION.

+ - - - - - - - - - - - - - - - - - OLD WATER RIGHT NUMBERS - - - - - - - - - - - - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - - - - - - - - - - - - - CONDITIONS OF APPROVAL - - - - - - - - - - - - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - - + + - - - DECREE DATE - +
00/00/0000

MICROFILMED

NOV 01 1994

RECEIVED

SEP 25 1997

Department of Water Resources
Adjudication Bureau

RECEIVE

OCT 06 1997

Department of Water Resources
Southern Region

1997 SEP 22 PM 5:03

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO

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

In Re SRBA

Case No. 39576

Subcases 72-10390, 72-10461

ORDER GRANTING MOTION
TO FILE LATE OBJECTIONS

A hearing on the *Motion to File Late Objections* filed by the United States was held September 16, 1997. As there was no opposition to the motion and for good cause appearing, IT IS ORDERED that the *Motion to File Late Objections* is hereby **granted**. The objections previously lodged will be deemed filed as of September 16, 1997. Responses to the objections are due October 27, 1997.

IT IS SO ORDERED.

DATED September 22, 1997.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

SEP 20 1997
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE OBJECTIONS** was mailed on September 22, 1997, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Director of IDWR
PO Box 83720
Boise, ID 83720-0098



Ami Alberdi
Deputy Clerk

From: DWR60::JSTANTON 9-OCT-1997 08:46:06.08
To: DWR03::RBROWN
CC: JSTANTON
Subj: Claim 72-10390, BLM Objection

File

Yesterday I got a call from Steve Neal in California (619-297-9136). He said that he is in a lawsuit with the BLM but has no idea why. Please call him with an explanation. Thanks.

Jim, Southern

From: DWR03::RBROWN 9-OCT-1997 08:53:08.23
To: DWR60::JSTANTON
CC:
Subj: RE: Claim 72-10390, BLM Objection

Thanks for the message, Jim...I'll get back to him today.