

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: A37-00049

Date Received: 6/27/1988

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES B. RITTER 208-886-2163
Address: 554 E. HY. 26
RICHFIELD, ID 83349

AND/OR

Name: LINDA RITTER 208-886-2163
Address: 554 E. HY. 26
RICHFIELD, ID 83349

2. Date of Priority: APR 01, 1883

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	18E	23	SE	NW			LINCOLN
		27	NE	NW			LINCOLN
			SW	NW			LINCOLN

5. Description of diverting works:
HEADGATES #65 & 66; PUMP #65P

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.070		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-00049

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Date: 06/27/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	18E	27	NE		NE		IRR	40.0
			NW		NE		IRR	30.0
			NE		NW		IRR	35.0
			NW		NW		IRR	15.0
			SW		NW		IRR	40.0
			SE		NW		IRR	30.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
							Section Acres	255.0
		28	SE		NE		IRR	15.0
			NE		SE		IRR	28.0
			SW		SE		IRR	12.0
			SE		SE		IRR	10.0
							Section Acres	65.0
							Total Acres	320.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 2252
2 P/D IN SENW S23 T5S R18E
WATERMASTER RECORDS SHOW P/D IN NENW S27 MAY NOT EXIST.
RT. IS FOR 4.2 CFS MINUS 3% CONVEYANCE LOSS; = 4.07 CFS.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

MICROFILMED
FEB 22 1993

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 _____

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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: A37-00049

Date Received: ~~4/28/1988~~

Receipt No: 5000 543

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES B. RITTER 208-886-2163
Address: 554 E. HY. 26
RICHFIELD, ID 83349

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A37-00049

Page 1

Date: 04/28/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	18E	27	NE		NE		IRR	40.0
			NW		NE		IRR	30.0
			NE		NW		IRR	35.0
			NW		NW		IRR	15.0
			SW		NW		IRR	40.0
			SE		NW		IRR	30.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
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			NE		SE		IRR	28.0
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S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

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MICROFILMED
FEB 22 1993

04/25/2003

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

RIGHT NUMBER: 37-49

NAME AND ADDRESS: JAMES B RITTER
554 E HY 26
SHOSHONE ID 83352

LINDA RITTER
554 E HY 26
RICHFIELD ID 83349

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 4.200 CFS

RIGHT LIMITED TO 4.07 CFS WHEN DIVERTED FROM PUMP IN LITTLE WOOD RIVER.

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T05S R18E S23 SENENW Within LINCOLN County Source: LITTLE WOOD RIVER
T05S R18E S23 NWSNW Within LINCOLN County Source: LITTLE WOOD RIVER
T05S R18E S27 SENENW Within LINCOLN County Source: LITTLE WOOD RIVER
T05S R18E S27 SESWNW Within LINCOLN County Source: LITTLE WOOD RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	4.200 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S27	NWNE	20.0	T05S R18E S27	NENW	30.0
T05S R18E S27	NWNW	3.7	T05S R18E S27	SWNW	24.0
T05S R18E S27	SENE	26.0	T05S R18E S27	NWSW	29.0
T05S R18E S27	SWSW	15.0	T05S R18E S28	SENE	11.0
T05S R18E S28	NESE	25.0	T05S R18E S28	SWSE	14.0
T05S R18E S28	SESE	18.0			

215.7 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.

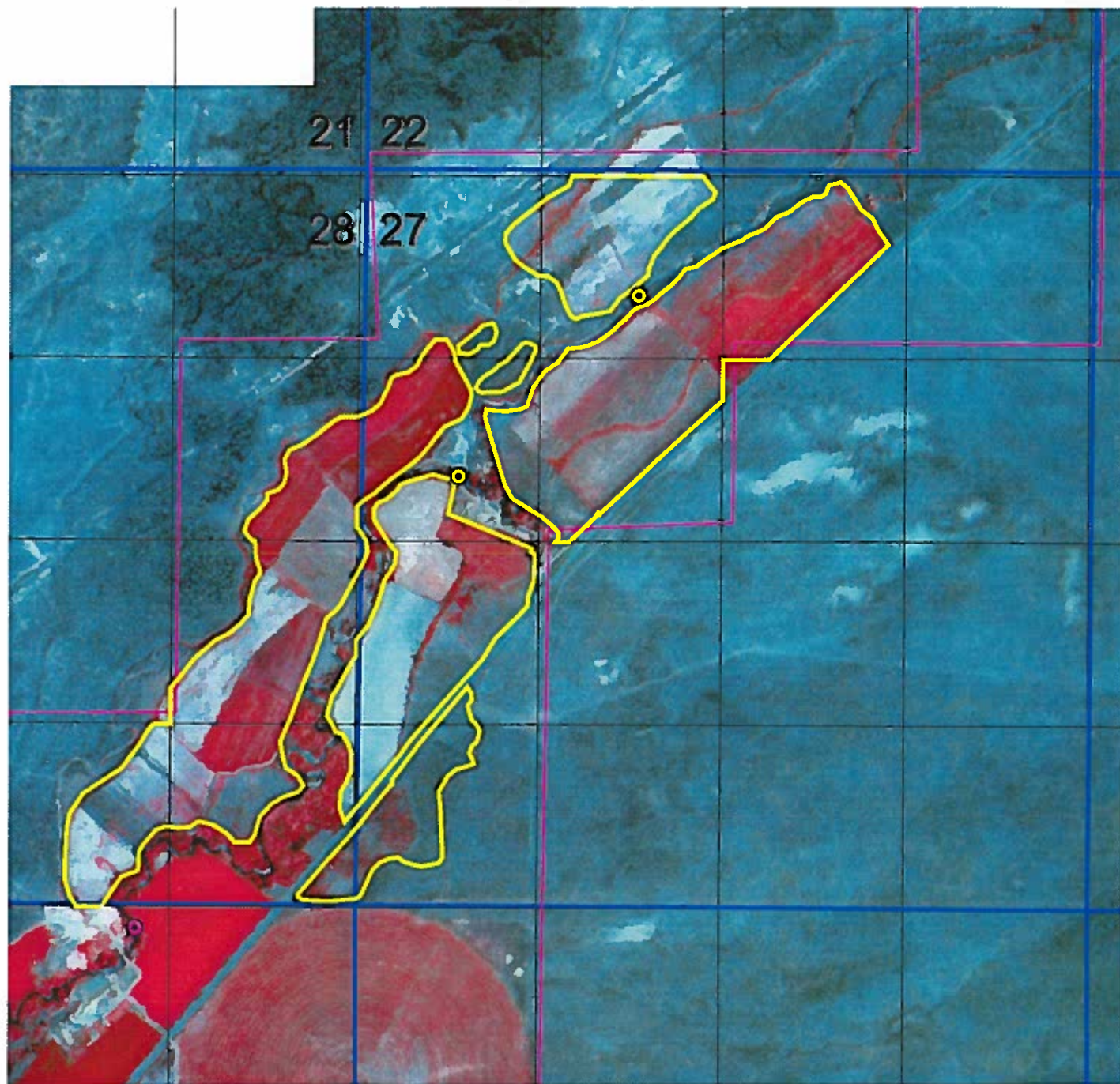
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPT OF WATER RESOURCES

37-49



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 18E



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: APRIL 25, 2003

37-49 REVIEW

11-1-02
SCC

POD (#65 #66 #65P)

S. 23 SE NW

found GIS to ditch

~~S. 27~~ NE NW

— NO! should be S. 23? found another ditch.

S. 27 SW NW

Q RATE:

$$(4.07 \text{ cfs} \div 193 \text{ Ac} = 0.021 \text{ cfs/Ac})$$

Q: should have claimed 4.2 cfs to include Conv. Loss 3%.
4.2 claimed in Remarks in claim & WR prop
(Transfer limited new POD to 4.07 cfs) (TRANS. 1981 appl. dated: 1978 filed)

POU: appears to irrigate lands in BLM to North of S. 27. → No longer irrigated per Mr. Ritter (4-22-03)
★ Several corners of BLM trespass POU.

No use found in NENE S. 27. (claimed 40 Ac.)
↳ lack of water to maintain?

4/3/03
SCC

Need exam for POU & POD confirmations.

No evidence of 320 Ac. irrigated lands.

EXAM REVIEW:

9/23/03

POD @ DITCH Head, pump is from the ditch.

[per appt.
w/ Jim Ritter]

USED WATER ON 'BARE' 40, now lacks full water due to ditch loss.

No longer irrigates BLM portions; 657 Ac $\approx$ 220

Confirmed by phone (4/25/03 11:35 AM) w/ Jim R.

— POD's are not at same point in river. East ditch is down stream several hundred yards by the dam.

37-49

4-25-03

SC

Review of S.27 NENE 40 Acres:

During the exam review Mr. Ritter said this land was irrigated and farmed. It would have to have water pumped up to it. Transfer was approved for pumps in 1981 which is the earliest this use could have occurred. Maps in 1977 show no use, in 1993 no use or in 1987 NAPP. The land observed on 4/23/03 by me appears to match the lands not farmed and/or irrigated. At this point I can't void the acres as valid irrigation.

Currently there are 216.4 acres found irrigated with his 4.2 cfs. That's 0.0194 cfs/AC from the ditch w/o ditch loss. I don't believe extra acres can be developed with this water. If proven later the acres might qualify as Enlargement acres since they were developed post 1981 transfer with use of pump.

37-49

11-1-02
SL

BLM

21 22

28 27

No
USE

BLM

Exam Review
4-23-03

GIS Ac
= 191 Ac
(as selected)

leave out BLM -
no longer irrigated
per M. R. H. & A.

* Revised GIS Acres
= 216.4 Ac

BLM

BLM

Confirm USE
w/ 1993
ARZ4 DOR

All
OK

OUT

IN

IN

IN

IN

IN

IN

IN

IN

IN

IN

IN

IN

IN

37-49

11-1-02
SCL

BLM

21 22

28 27

35

30

40

W ?

30

BLM

BLM

28

30

BLM

Claim Ac = 320

GIS Ac = 191
(as shown)

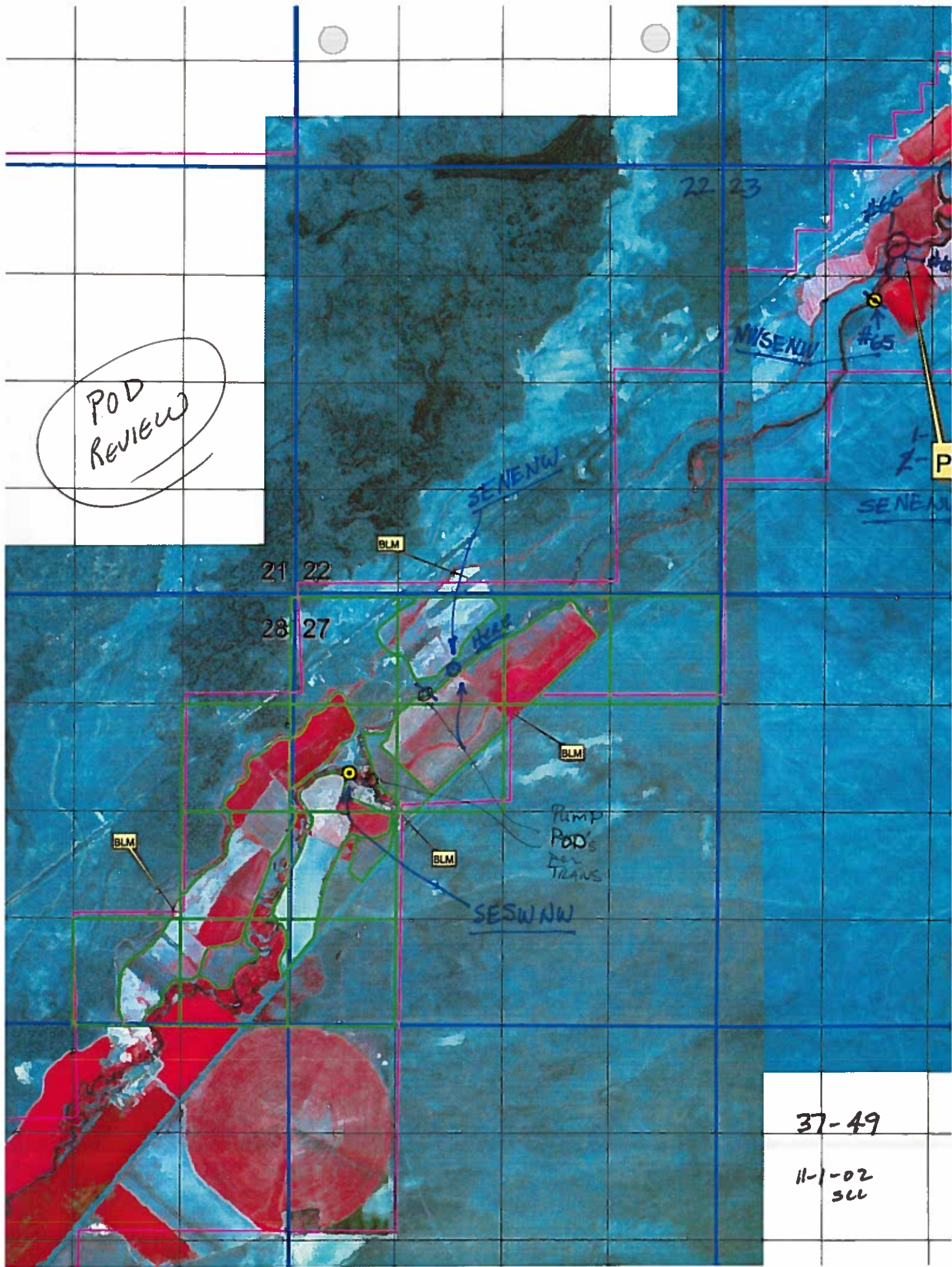
10

12

35

?

POD
Review



37-49

11-1-02
366

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-49

WATER RIGHT NUMBER: 37-49

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES B RITTER STAR RT RICHFIELD, ID 83349
Original Owner	W H BAUGH , ZZ

Priority Date: 04/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	4.070 CFS	
	<u>Total Diversion:</u>	4.070 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	SE1/4NW1/4	Sec. 23, Twp 05S, Rge 18E, B.M.
LINCOLN County		
LITTLE WOOD RIVER	SW1/4NW1/4	Sec. 27, Twp 05S, Rge 18E, B.M.
LINCOLN County		
LITTLE WOOD RIVER	NE1/4NW1/4	Sec. 27, Twp 05S, Rge 18E, B.M.
LINCOLN County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	18E	27	40.0	30.0			35.0	15.0	40.0	30.0	30.0	35.0							255.0
05S	18E	28				15.0								28.0		12.0	10.0		65.0

Total Acres: 320

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-49

1. General TRANS. 2252 2 P/D IN SENW S23 T5S R18E.
WATERMASTER RECORDS SHOW P/D IN NENW S27 MAY NOT EXIST.
RT. IS FOR 4.2 CFS MINUS 3% CONVEYANCE LOSS; = 4.07 CFS.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False