

AJ0749NP
No. 37-04439

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT M ROSENTHAL	06/01/1935	STOCKWATER	05-15 06-30	0.020 CFS	
C	MARIAN R ROSENTHAL		STOCKWATER	08-15 09-30	0.020 CFS	
	C/O JAMES P SPECK					
	PO BOX 987					
	KETCHUM ID 833400000			TOTAL DIVERSION:	0.020 CFS	

Water Source: SPRINGS

Tributary to: ELKHORN GULCH

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R18E S27
S28

SWNW
SENE

BLAINE County
BLAINE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	18E	27	:																	:
04N	18E	28	:																	:

POU County: BLAINE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 04N18027724C
STOCKWATER, 3000 SHEEP

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 37

Field Inspection Flag:
Presumption Flag:

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED

9874 per P.O.
Post
984
KETCHUM IDAHO
83340

IMPORTANT WATER RIGHT INFORMATION

OK. file
PS file

37-04439

ROBERT M ROSENTHAL
MARIAN R ROSENTHAL
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
KETCHUM ID 83340

only w/r

83340



U.S. POSTAL SERVICE
PS FORM 3547

return
to sender
fee due 50¢

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: A37-04439
Date Received: 1/06/1989
Receipt No: C003836
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT M. ROSENTHAL
Address: C/O JAMES P. SPECK
HOGUE, SPECK, & AANESTAD
P. O. BOX 987
KETCHUM, ID

83340-0000

Name: MARIAN R. ROSENTHAL
Address: C/O JAMES P. SPECK
HOGUE, SPECK, & AANESTAD
P. O. BOX 987
KETCHUM, ID

83340-0000

2. Date of Priority: JUN 01, 1935

3. Source: SPRINGS Trib. to: ELKHORN GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	27	SW	NW			BLAINE
		28	SE	NE			BLAINE

5. Description of diverting works:
IN-STREAM DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/15	06/30	0.140		
STOCKWATER	08/15	09/30	0.140		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

A37-04439

Page 1

Date: 01/06/89

MICROFILMED
FEB 24 1993

9. Non-irrigation uses:
S/3000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	27	SW	NW		STOCK	
		28	SE	NE		STOCK	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

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): _____ 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 _____

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 A37-04439
Date Received 10-25-88
Receipt Number C003836

RECEIVED

NOTICE OF CLAIM

TO A

OCT 25 1988

WATER RIGHT

ACQUIRED UNDER STATE LAW Department of Water Resources
Southern Region Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1. Name of Claimant(s): Robert M. Rosenthal &/or Marian R. Rosenthal
Phone: (703) 522-2300
Mailing Address: Rosenthal Automotive
Suite 700
1550 Wilson Boulevard
Arlington, VA 22209
2. Date of Priority: June 1, 1935
3. Source of water supply: (a) Springs
which is tributary to: (b) Elkhorn Gulch
4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
4N	18E	28	NE	SE	NE		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: Springs feed a small stream;
stockwatering is an in-stream use.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	May 15	June 30	0.14 cfs
Stockwater	August 15	September 30	0.14 cfs

7. Total Quantity Claimed: 0.14 cfs

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FEB 24 1993

8. Total consumptive use claimed is de minimus
9. Non-irrigation uses: Stockwater - 3000 head of sheep; 50 horses.
10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
4N	18E	27	SW	NW	S
4N	18E	28	SE	NE	S

11. Place of use is located in Blaine County.
12. Do you own the property listed above as place of use? Yes
13. Describe other water rights used? None.
14. Remarks:
15. Basis of Claim: Beneficial use.
IDWR Water Right Number: 37-4439
Court: Case Number: Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) *Rosenthal*

Date Oct 21, 1988

Date _____

State of Virginia)
County of Arrington) ss.

Subscribed and sworn before me this 21 day of October, 1988.

Notary Public *Michael G. H.*
Residing at *Shelburne Vt.*
Commission Expires My Commission Expires Sept. 22, 1989

Last Name: Rosenthal

Ident No.:

MICROFILMED
FEB 24 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0732

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

October 24, 1988

CERTIFIED MAIL

Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301
Attention: Jim Stanton

RECEIVED

OCT 25 1988

Department of Water Resources
Southern Region Office

Re: Snake River Basin Adjudication
Notice of Claim to Water Rights
Robert M. and/or Marian R. Rosenthal

Dear Jim:

Enclosed you will find the original Notice to Claim to Water Rights which we have prepared on behalf of Robert M. and Marian R. Rosenthal for the following described water rights:

1. 37-4439

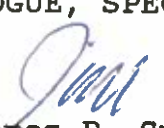
Also enclosed is a check in the sum of \$25.00 to cover the filing fees for these claims.

Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/jal
Enclosures
cc: Mr. Robert M. Rosenthal

MICROFILMED
FEB 24 1993

Water Right Number - 37-04439

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ROSENTHAL

ROBERT M.

1 - C/O JAMES P. SPECK
2 - HOGUE, SPECK, & AANESTAD
3 - P. O. BOX 987
City- KETCHUM

State- ID Zip- 833400000

ROSENTHAL

MARIAN R.

Phone -
1 - C/O JAMES P. SPECK
2 - HOGUE, SPECK, & AANESTAD
3 - P. O. BOX 987
City- KETCHUM
Phone -

State- ID Zip- 833400000

+ - - Priority Date - - +
06/01/1935+ - - Region - - - +
17+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - - +
SPRINGS+ - - Tributary - - - - - +
ELKHORN GULCH

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
04N	18E	27	SW NW			(13) BLAINE		
04N	18E	28	SE NE			(13) BLAINE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		05/15	06/30	0.140	
04 - STOCKWATER		08/15	09/30	0.140	

+ - Total Div. Rate - + 0.140 + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
04N	18E	27	SW NW			04	STOCKWATER	(13) BLAINE
04N	18E	28	SE NE			04	STOCKWATER	(13) BLAINE

Total Acres:

+ - - Diversion Means - IN-STREAM DIVERSION

+ - - Non-Irrigation Use - S/3000 SHEEP

+ Other Rights for Same Use -

+ - - Remarks - - - - - +
No Remarks found.FEB 24 1993
MICROFILMED

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - - Microfilm Rolls -

+ - - Audit Fields - 01/15/88

05/28/88 CONVERT

+ - Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000
Approved/Denied	-	00/00/0000
Proof Made Date	-	00/00/0000
Start Work Date	-	00/00/0000
Order Show Cause	-	00/00/0000
Licensed Date	-	00/00/0000
Decree Date	-	00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 00/00/0000
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee	-
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	- 37
Transfer/Amended	-

MICROFILMED
FEB 24 1993

WATER RIGHT NUMBER - A37-04439

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
ROSENTHAL

ROBERT M.

1 - C/O JAMES P. SPECK
2 - HOGUE, SPECK, & AANESTAD
3 - P. O. BOX 987
CITY- KETCHUM
PHONE -

STATE- ID ZIP- 833400000

ROSENTHAL

MARIAN R.

1 - C/O JAMES P. SPECK
2 - HOGUE, SPECK, & AANESTAD
3 - P. O. BOX 987
CITY- KETCHUM
PHONE -

STATE- ID ZIP- 833400000

+ - - PRIORITY DATE - - +
06/01/1935+ - - - REGION - - - +
17 SOUTHERN+ - - - STAGE - - - +
S - STATUTORY CLAIM

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
SPRINGS+ - +
ELKHORN GULCH

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
04N	18E	27	SW NW			(13) BLAINE		
04N	18E	28	SE NE			(13) BLAINE		

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
04 -	STOCKWATER	05/15	06/30		0.140	
04 -	STOCKWATER	08/15	09/30		0.140	

+	-	TOTAL DIV. RATE - +	+	-	TOTAL DIV. VOLUME - +	+	-	TOTAL DIV. CAPACITY - +	+	-	TOTAL CONSUMPTIVE USE - +	+	-	KW USAGE - +
		0.140									0.0			

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
04N	18E	27	SW NW			04	STOCKWATER	(13) BLAINE
04N	18E	28	SE NE			04	STOCKWATER	(13) BLAINE

+ - - DIVERSION MEANS - IN-STREAM DIVERSION

+ - - NON-IRRIGATION USE - S/3000 SHEEP

+ - - OTHER RIGHTS FOR SAME USE -

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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - +	ADJUDICATION RIGHTS DATES AND FLAGS AREA	- - - - - +

04N18027724C

DATA ENTRY

ENTERED

CHECKED

"Verified Ely"

Topo Map/Grain-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 3 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER