

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-13560

NAME AND ADDRESS: FRANCIS D RIPPLINGER
LARUE RIPPLINGER
730 W BATES RD
DRIGGS, ID 83422

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.15 CFS

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

PRIORITY DATE: 03/22/1926

POINT OF DIVERSION: T05N R44E S34 NWSWNE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.15 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation		Within Teton County
	T05N R44E S34	SWNE 5.4	SENE 1.9
	7.3 Acres Total		
	Stockwater		Within Teton County
	T05N R44E S34	SWNE	SENE
	Domestic		Within Teton County
	T05N R44E S34	SWNE	

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

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

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

08/22/2006

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

RIGHT NUMBER: 22-13560

NAME AND ADDRESS: FRANCIS D RIPPLINGER
730 W BATES RD
DRIGGS ID 83422

LARUE RIPPLINGER
730 W BATES RD
DRIGGS ID 83422

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.150 CFS

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

PRIORITY DATE: 03/22/1926

POINT OF DIVERSION:
T05N R44E S34 NWSWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.150 CFS
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R44E S34	SWNE	5.40	T05N R44E S34	SENE	1.90
---------------	------	------	---------------	------	------

STOCKWATER Within TETON County

T05N R44E S34	SWNE	T05N R44E S34	SENE
---------------	------	---------------	------

DOMESTIC Within TETON County

T05N R44E S34	SWNE
---------------	------

7.3 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 domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This Right is a split from 22-2115.



Idaho Department of Water Resources

SRBA Recommendation:

22-13560

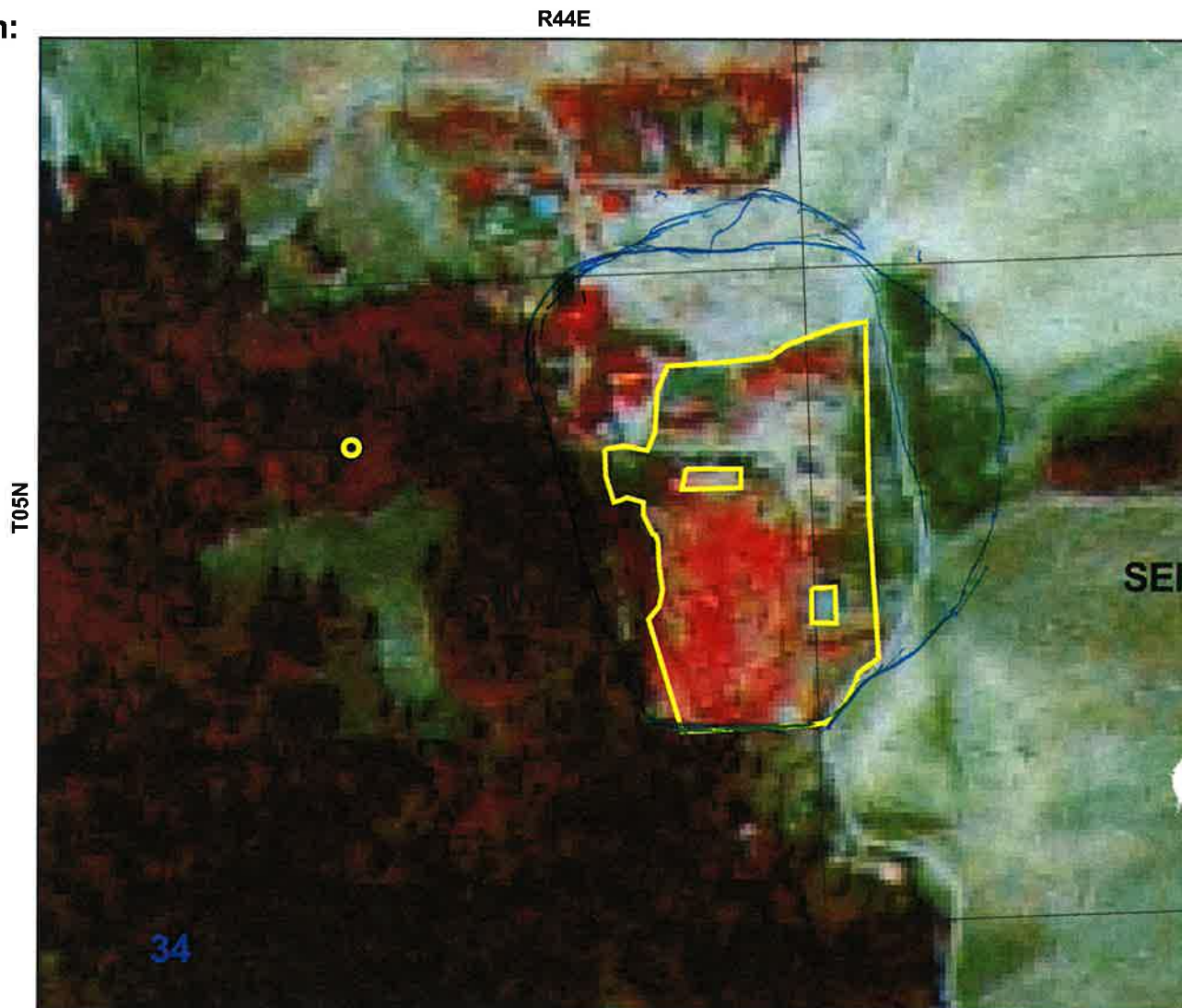
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by T. Galbraith
On Tuesday, August 22, 2006
1987/88 Aerial Photography

August 22, 2006

FRANCIS D RIPPLINGER
LARUE RIPPLINGER
730 W BATES RD
DRIGGS ID 83422

RE: NOTICE OF CLAIM 22-13560

DEAR CLAIMANT:

THIS LETTER IS TO INFORM YOU THAT YOUR NOTICE OF CLAIM 22-13560 HAS BEEN RENUMBERED TO 22-2115. I HAVE ENCLOSED A COPY OF THE CLAIM FOR YOUR RECORDS. IF YOU SHOULD HAVE ANY QUESTIONS, PLEASE CONTACT OUR OFFICE AT (208) 525-7161.

RESPECTFULLY,

KATY JACKSON
OFFICE SPECIALIST 1

ENCLOSURE

SCANNED
AUG 23 2006

PROFILED



Idaho Department of Water Resources

SRBA Recommendation:

22-13560

(Irrigation)

Legend

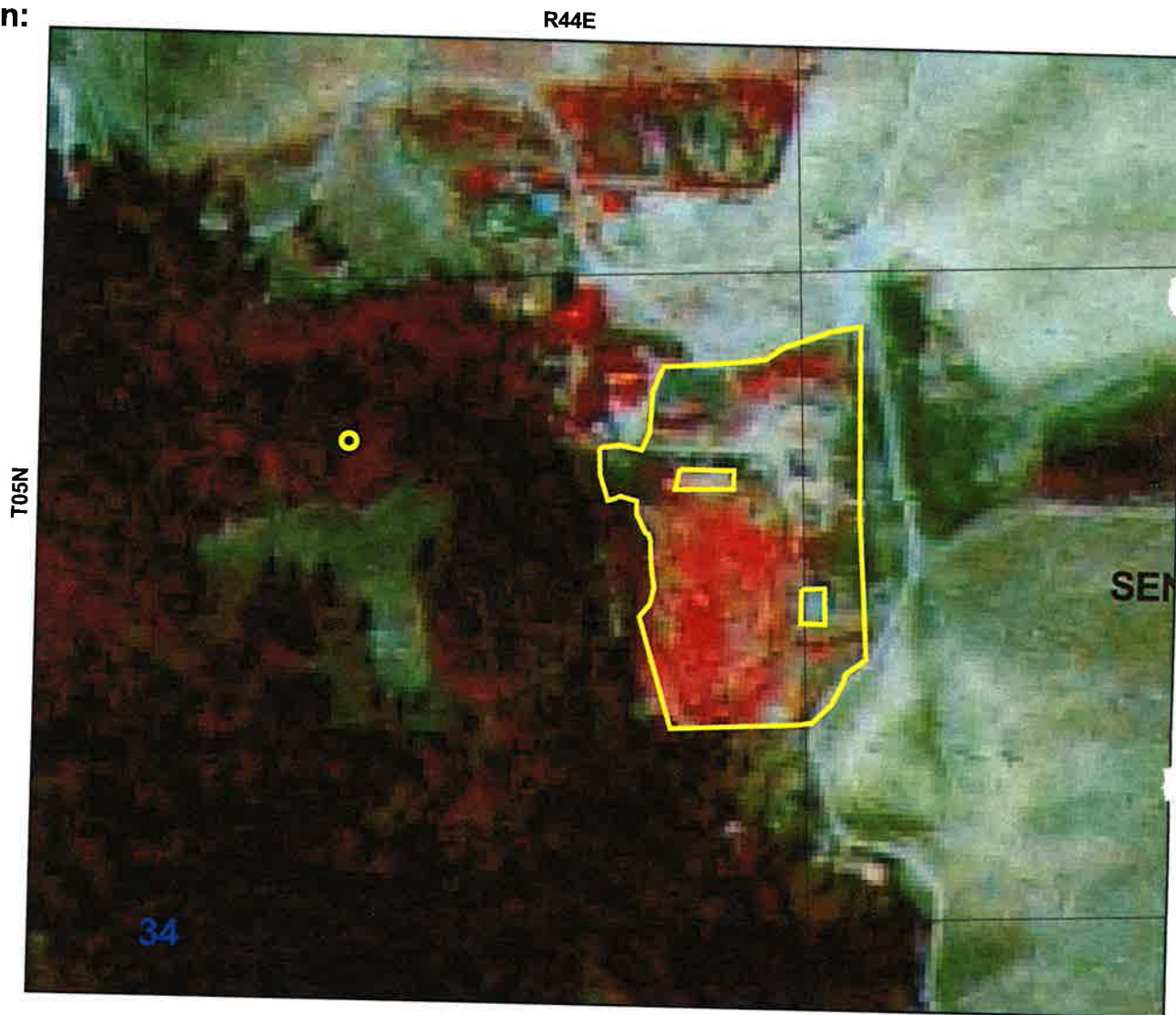
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Tuesday, August 22, 2006
1987/88 Aerial Photography



0 0.1 0.2 Miles

A scale bar with markings for 0, 0.1, and 0.2 miles.

- Only ^{7.3} 7.3 acres of licensed pov is being irrigated.
- at .02 cts/acre that is .15 cts.

8-22-06 TF

- They only own 9 acres in that area.

Contacts Data Entry Form

Claim Number: 2202115

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Francis Ripplinger Phone No.: 208-354-8130

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

LICENCE THE RICKNELL 15 FOR .5 CFS
+ FOR 50 ACRES. TO KARL A RIPPINGER. + WAS
SPLIT IN 1/2 TO FRANCIS RIPPINGER. + WESTON RIPPINGER
KARL'S SONS.

The map. looks Real. Close To what
I being irrigated on the largest piece
of ground. Approx 10 AC HAVE TRAVEL. GROUND
TO ACCOMMODATE FENCES. SERVING HAS 9.4 TOTAL
ACRES

Claim NEED Amended From 7.5 AC IN SW NE SEC 34
TO 7 AC IN SW NE, FROM 5 AC IN NENE TO
3 AC IN SE NE SEC. 34 A TOTAL OF
10 ACRES

FE ped/pou conveyance/system

Reviewer: _____ Date: _____



GPS DATA:

Tag # A00 9568 Location: Top of Tank

Diversion Data:

Source: Spring Trib to: Sinks

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Water is collected into Collection
Tank into pipes to POU House +
Stock Tanks

Field Exam Date: 7. 6. 05 Agent: Nick Olson

Place Of Use Data Entry Form

Claim Number: 2202115.

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5N	44E	34	NE	NE	TETON		5	IRRIGATION
"	"	"	SW	NE	"		7.5	"
"	"	"	SW	NE	"			DOMESTIC
"	"	"	SW	NE	"			STOCK
"	"	"	SE	NE	"			STOCK

Total acres 12.5

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

P.O.U. NEEDS TO BE AMENDED. SEC. 34 NE
NE. 5 AC. AMENDED TO SE-NE. 3 AC. + SEC
34 SW NE 7.5 AC. AMENDED TO SW NE.
7 AC.

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: 2202115Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1		
Domestic	1/1	12/31		
Stockwater	1/1	12/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD S'04 4/15 - 10/31 Irrigation
 1/1 - 12/31 Domestic + Stock

Reviewer: _____

Date: _____

28 27
33 34

T5N, R44E
T4N, R44E

X



State of Idaho License and Certificate of Water Right

Water License No. 16447
Water District No.

Amount 0.5 sec. ft.
Priority 3-22-1926

THIS IS TO CERTIFY that Karl A. Ripplinger of Driggs, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 22, 1926; that Permit No. 16447 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on December 10, 1926, showing that said works were completed on the 2nd day of August, 1926; and that on the 14th day of August, 1926.

Karl A. Ripplinger of Driggs, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of unnamed spring, a tributary of no stream, for the purpose of irrigation and domestic use, under Use Permit No. 16447, of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the law of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3417, on the 10th day of December, 1926;

The right hereby confirmed dates from March 22, 1926;

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 34, Tp. 5 N., R. 44 E., B. M. Teton County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	44 E.	34	NE 1/4 NE 1/4		5
			SW 1/4 NE 1/4		20

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this tenth day of December, 1926.

GEO. N. CARTER,
Commissioner of Reclamation

(SEAL)

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Teton

SS

Karl A. Ripplinger, being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16447, and that his postoffice address is Driggs, Idaho, 242.
State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Un-named Springs in the SW 1/4 NE 1/4 of Sec. 34, Twp. 5 N., R. 44 E. B. M.

Third: That the point of diversion of said water is 40 rods West and 6 rods South of the Northeast Corner of the SW 1/4 NE 1/4 of Sec. 34, Twp. 5 N., R. 44 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 19.

Fifth: That the use for which said water is intended is Irrigation and Domestic Purposes.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Open ditch.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction .

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit Ditch width at bottom one feet, width at water line 2 feet.
(State whether ditch, flume or pipe.)

feet, depth of water 1/2 feet; diameter of pipe inches, average grade per mile is 100 feet. Length of conduit is 3/8 miles.

Seventh: That said works are capable of conducting to the place of intended use One Cubic Foot second feet of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: 10 acres in the SW 1/4 NE 1/4; 20 acres in the SE 1/4 NE 1/4; and 20 acres in the NE 1/4 NE 1/4 of Sec. 34, Twp. 5 N., R. 44 E. B. M.

Ninth: Remarks: That at times for short intervals there is as much as 50 miners inches of water which I use, however, this is not a permanent supply.

Karl A. Ripplinger
(Sign here)

Subscribed and sworn to before me this 2nd day of August, 1926.

My commission expires March 10, 1927.

Notary Public.

16447

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

16177

PAV.

40

1/2 SN R446 RM.

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

Renumbered from 22-2115

Ident. Number 22-13560
Date Received: 8/14/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

FRANCIS D RIPPLINGER Phone: (208)354-8130
730 W BATES RD
DRIGGS ID USA 83422

LARUE RIPPLINGER Phone: (208)354-8130
730 W BATES RD
DRIGGS ID USA 83422

2. Date of Priority: 03/22/1926

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	44E	34	NE SW NE	TETON	

5. Description of diverting works:

COLLECTION BOX MAINLINE TO DOMESTIC HOME & IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.25	
STOCKWATER	01/01	12/31	0.05	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.25 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
05N	44E	34	SW	NE		IRRIGATION	7.5
			NE	NE		IRRIGATION	5
			SW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			SW	NE		DOMESTIC	
						Section Acres	12.5
						Total Acres	12.5

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

This Right is a split from 22-2115.

15. Basis of Claim: License

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: A22-02115
Date Received: 9/20/1988
Receipt No: E002472
Received By: HLJ

*Renumbered to
22-13560*

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

1. Name: FRANCIS D. RIPPLINGER 208-354-8130
Address: 730 WEST BATES ROAD
DRIGGS, ID 83422
OR
Name: LARUE RIPPLINGER 208-354-8130
Address: 730 WEST BATES ROAD
DRIGGS, ID 83422

A2202115



2. Date of Priority: MAR 22, 1926

3. Source: SPRINGS Trib. to: SINK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	34	NE	SW	NE		TETON

5. Description of diverting works:
COLLECTION BOX MAINLINE TO DOMESTIC HOME & IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/SINGLE DOMESTIC HOME, S/140 RANGE CATTLE

A22-02115

Page

1

Date: 10/31/88

MICROFILMED

OCT 29 1988

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	44E	34	NE		NE		IRR	5.0
			SW		NE		IRR	7.5
			SW		NE		DOMEST	
			SW		NE		STOCK	
			SE		NE		STOCK	
							Section Acres	12.5
							Total Acres	12.5

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE OTHER HALF OF THIS RIGHT IS FILED FOR UNDER A22-11460
BY WESTON RIPPLINGER. THIS IS AN AMENDED CLAIM ALSO.

15. Basis of Claim: LICENSE
Water Right Number: 222115

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): Francis Rimplinger Date: 10-31-88

Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 31st day
of Oct 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

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: A22-02115
Date Received: 9/20/1988
Receipt No: E002472
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCIS D. RIPPLINGER 208-354-8130
Address: 730 WEST BATES ROAD
DRIGGS, ID 83422
OR
Name: LARUE RIPPLINGER 208-354-8130
Address: 730 WEST BATES ROAD
DRIGGS, ID 83422
OR
Name: WESTON A. RIPPLINGER 208-354-8150
Address: 732 WEST BATES ROAD
DRIGGS, ID 83422
OR
Name: HELEN RIPPLINGER 208-354-8150
Address: 732 WEST BATES ROAD
DRIGGS, ID 83422

2. Date of Priority: MAR 22, 1926

3. Source: SPRINGS Trib. to: SINK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	44E	34	NE	SW	NE		TETON

5. Description of diverting works:
COLLECTION BOX MAINLINE TO DOMESITC HOME & IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

A22-02115

Page

1

A.F.A.

Date: 09/20/88

MICROFILMED

OCT 29 1992

8. Total consumptive use is 4.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D/SINGLE DOMESTIC HOME,S/140 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	34	SW	NE		IRR	2.0
			SW	NE		DOMEST	
			SW	NE		STOCK	
			SE	NE		STOCK	
						Section Acres	2.0
						Total Acres	2.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

D/S USE FOR FRANCIS & LARUE RIPPLINGERS' HOME AND IRRIGATION OF 1.33 ACRE OF THEIR LAND & THE IRRIGATION OF 0.67 ACRE OF WESTON & HELEN RIPPLINGERS' LAND AND IN CONJUNCTION WITH THE DOMESTIC HOME CLAIMED UNDER A22-11460

15. Basis of Claim: LICENSE
Water Right Number: 16447

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): Francis D. Ripplinger Date: 9-20-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Sept 19 88

William Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

81000m.E.

43°45'

48 43000m.N.

R44E

T5N

T4N

PLACE OF USE
STOCK

POINT OF
DIVERSION

T5N

T4N

A22-02115

UNCLASSIFIED

001-29-0002