

12/16/2006

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

RIGHT NUMBER: 75-13950

NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

IRENE ARRINGTON
BOX 1110
SALMON ID 83467

SOURCE: WALLACE CREEK

TRIBUTARY:

QUANTITY: 0.060 CFS
14.000 AFY

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.060 CFS

14.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 11 NESW 4.00

4 ACRES TOTAL

4

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 75-13948
&75-13950.

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

THIS RIGHT IS THE RESULT OF SPLITTING A75-00084D.

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: BASIS OF CLAIM - Decreed

07/17/2006

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

RIGHT NUMBER: 75-13950

NAME AND ADDRESS: LINDA HATHHORN
PO BOX 134
SALMON ID 83467

RAYMOND HATHHORN
PO BOX 443
SALMON ID 83467

SOURCE: WALLACE CREEK

TRIBUTARY:

QUANTITY: 0.060 CFS
14.000 AFY

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.060 CFS

14.00 AFY

PLACE OF USE:

IRRIGATION Within LEMHI County

T22N R22E S06 Lot 11 NESW 4.00

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-13948 & 75-13950.

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

THIS RIGHT IS THE RESULT OF SPLITTING A75-00084D.

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: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

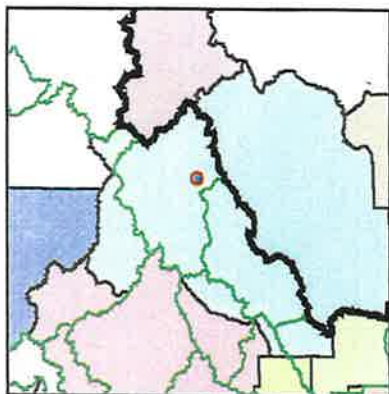
SRBA Recommendation:

75-13950

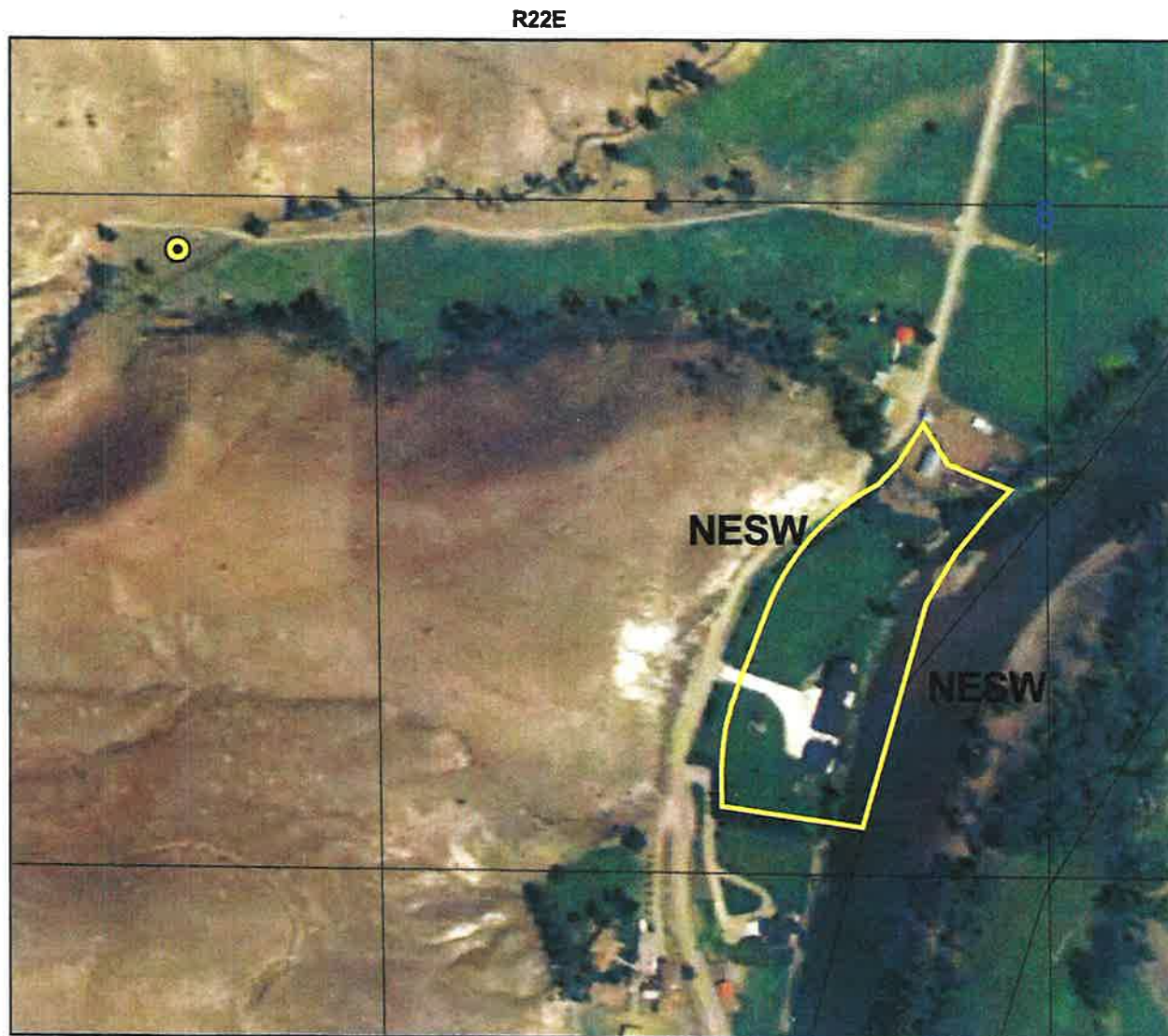
(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

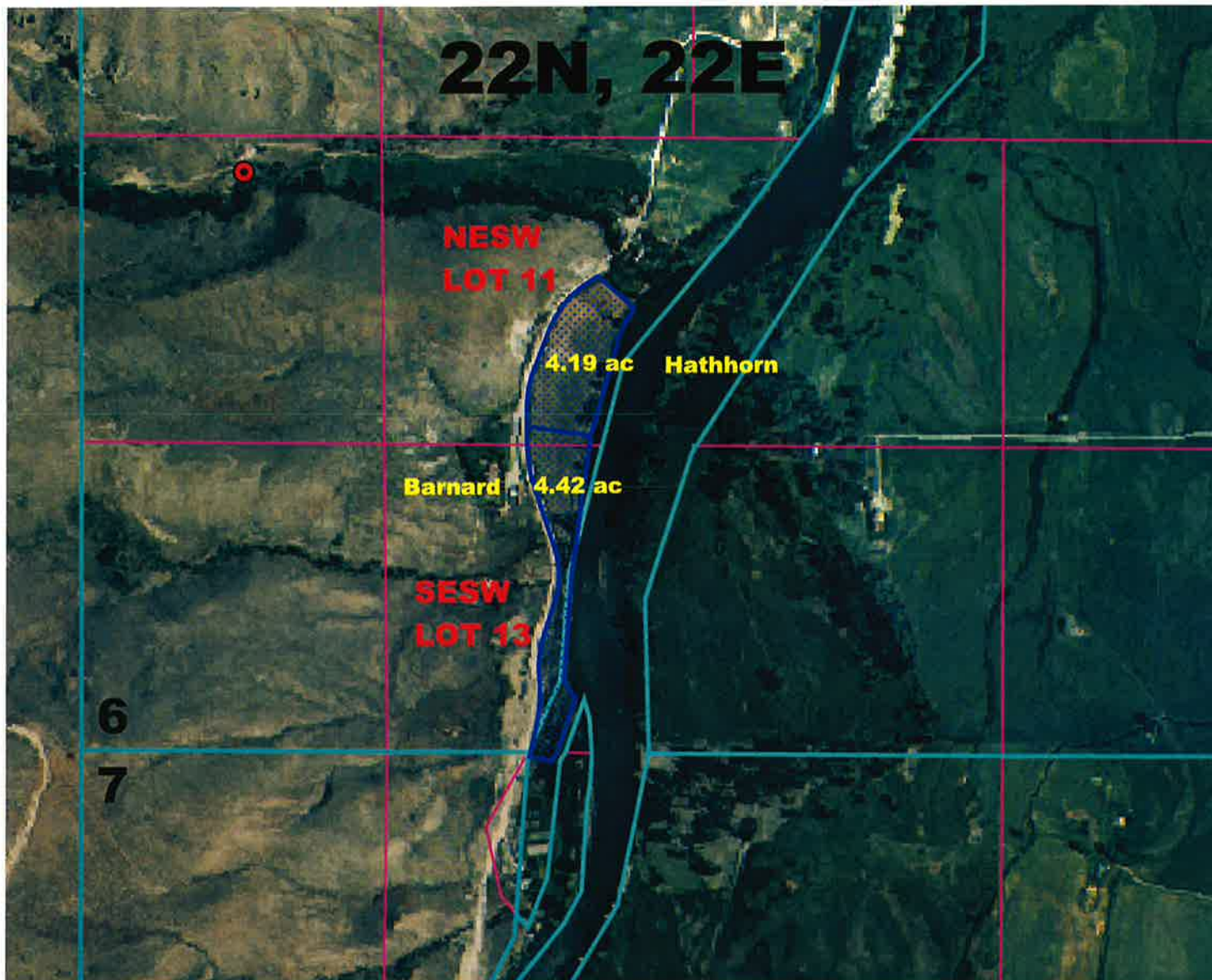
Change of Ownership

Parent WR# : A75-00084D

New WR#'s:

Remaining portion of split to Barnard: 75-13951D: 0.06 cfs, 4 ac

Split portion to Hathhorn: 75-13950D: 0.06 cfs, 4 ac



POD



Property Boundry



Section Lines



Quarter Sections

Change of ownership request resulting in Split.
This map represents the split distribution
between Barnard and Hathhorn

Acreages on map represent acres owned
according to Deed.

Prepared by: Craig Saxton
August 2000

State of Idaho) 266570
County of Lemhi) SS No.

This instrument was filed for record at the request
of Alhance Little

at 2:00 o'clock P.m. 3-16 2006

and duly filmed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By Anna Eagle Deputy

Fee 6-

Return to A.T.

WARRANTY DEED

Order No.:3070603457L-D

FOR VALUE RECEIVED

Ray C. Hathhorn, a single person and Linda Heffner, who acquired title as Linda Hathhorn, a single person.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Louis Arden Arrington and Ilene Jill Arrington, Husband and Wife

whose current address is

291 Diamond Creek Rd Salmon, ID 83467

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 11 AND 13, SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NUMBER 1 OF TRACT 37, FROM WHICH CORNER NUMBER 2 OF TRACT 37 BEARS N. 76° 23' 19" W., 144.86 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 07° 56' 38" E. A DISTANCE OF 1404.93 FT. TO A POINT ON THE WESTERLY BANK OF THE SALMON RIVER AND THE POINT OF BEGINNING.

THENCE N. 81° 15' 12" W. A DISTANCE PF 280.18 FT. TO A POINT ON THE CENTERLINE OF DIAMOND CREEK ROAD.

THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES:

N. 00° 03' 28" W., 57.99 FT.; 173.78 FT. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 455.18 FT.; A DELTA OF 21° 52' 27" AND A CHORD BEARING N. 10° 52' 43" E. FOR 172.72 FT.;

N. 21° 48' 55" E., 173.25 FT.; 331.18 FT. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 458.74 FT., A DELTA OF 41° 21' 49" AND A CHORD BEARING N. 42° 29' 48" E. FOR 324.03 FT.;

N. 43° 45' 15" E., 59.03 FT.; N. 34° 01' 04" E., 89.31 FT.;

THENCE S. 32° 10' 14" E. A DISTANCE OF 91.18 FT.;

THENCE S. 67° 03' 26" E. A DISTANCE OF 133.08 FT. TO SAID WESTERLY BANK OF THE SALMON RIVER;

THENCE ALONG SAID BANK THE FOLLOWING COURSES AND DISTANCES;

S. 44° 26' 47" W., 57.82 FT.; S. 39° 56' 58" W., 107.42 FT.;

S. 31° 03' 54" W., 116.41 FT.; S. 16° 49' 09" W., 453.64 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE ROAD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

266570

Dated: 3-16-06

Linda Heffner
Linda Heffner

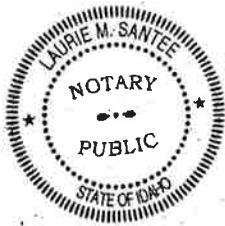
Ray C. Hathorn
Ray C. Hathorn

State of Idaho.

County of Lemhi } ss.

On this 16th day of March, in the year 2006 before me, a Notary Public in and for said state, personally appeared Linda Heffner & Ray C. Hathorn known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-13950

LINDA HATHHORN

PO BOX 134

SALMON ID 83467

Telephone Number: (208)756-4006

RAYMOND HATHHORN

PO BOX 443

SALMON ID 83467

Telephone Number: (208)754-4600

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

CHANGE OF OWNERSHIP

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/12/06

SIGNATURE:

L. Arden Arrington

Please print your name:

L. ARDEN ARRINGTON

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC 14 2006

IDWR/North

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A75-13948					
A75-13950					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

LINDA & RAYMOND HATHORN
 P.O. BOX 134
 SALMON, ID 83467

4. New Owner/Claimant(s)

L. ARDEN & ILENE ARRINGTON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. BOX 1110

City, State and ZIP Code

SALMON, ID 83467

New Telephone Number

(208) 756-1322

5. Date you acquired the property

3-16-2006

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number A75-13948

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.04 CFS</u>	<u>4 ACRES</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u> </u>	<u> </u>

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number A 75-13950

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.06 CFS</u>	<u>4 ACRES</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other	<u> </u>	<u> </u>
Total	<u> </u>	<u> </u>

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Linda G
fence / Amy far

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-13950

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☐ No Change — SAME SOURCE

☒ Source is different than that claimed:

Source found: Wallace Creek

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015064 File # W62905 P002

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

headgate in ditch, pipeline to gravity sprinkler system

75-13948
 -13950
 -14444
 -14446

6002 5 - AON

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Monday, November 09, 2009 10:17 AM
To: 'iarrington@centurytel.net'
Cc: dfcarey@quanesmith.net; Baxter, Garrick; Cooley-Denney, Suzy
Subject: RE: proposed withdrawal of objections to amended director's report

-14447
 -14475

Hi Arden,

Thanks for your patience as we took some time to consider the proposal you enclosed in your last email.

IDWR can agree to change its recommended acreages for your properties to coincide with your proposal. We can also match your proposed rate of flow with some of the water rights, but not all. I have detailed our proposal below:

area	IDWR adj. cfs	WR#	Priority date	Arr. area	Arr. cfs	IDWR adj.
Lot 11 (residence)	0.04	75-13948	1898	4	0.04	4
	0.05	75-13950	1902	4	0.06	4
Lot 1 (Vistas)	0.03	75-14444	1898	3.2	0.03	3.2
	0.04	75-14446	1902	3.2	0.03	3.2
Lot 2 (Vistas; Pensco)	0.03	75-14475	1898	3.2	0.03	3.2
	0.04	75-14447	1902	3.2	0.03	3.2
Total	0.22			10.4	0.22	10.4

Formatted
 table
 attached
 MVB
 11/9/2009

In the table above, Arr. area and Arr. cfs stand for Arrington area and Arrington cfs, respectively, which represent the values you proposed in your letter of October 25. IDWR adj. area and IDWR adj. cfs stand for IDWR adjusted area and IDWR adjusted cfs, respectively.

As you see, IDWR's proposed flow rates for water rights 75-13950, 75-14446 and 75-14447 do not agree with your proposal. Your proposed flow rate for 75-13950 was 0.06 cfs and our proposal is 0.05 cfs. Your proposed flow rate for 75-14446 was 0.03 cfs and our proposal is 0.04 cfs. Your proposed flow rate for 75-14447 was 0.03 cfs and our proposal is 0.04 cfs.

I realize the flow rate is a little lower than you desire for 75-13950 and a little higher for 74-14446 and 75-14447. At first glance, you might ask why we can't just reduce the ones that are greater than your proposed rate and increase the one that's a little lower, and that's certainly a valid question.

There are two reasons we are unable to do this: 1) delivery system and 2) duty of water. The water to the residence is delivered via a different system than water to the Vistas lots. If we were to increase the cfs under 75-13950 and decrease it under the Vistas lots rights, we would essentially be moving water between systems, which requires an additional administrative proceeding and has the potential to cause conflicts among neighbors.

That hurdle can normally be jumped, but the issue of duty of water is significantly greater. To refresh your memory, duty of water is the amount of water to be used on each acre of land.

Per Section 42-220, Idaho Code, IDWR's state standard is 0.02 cfs, or one miner's inch, per acre of irrigated land. As we discussed several times on the phone, I calculated the flow rates for lower Wallace Creek rights based on the proportion of irrigated land they had on Lower Wallace Creek, keeping in mind IDWR's standard duty of water and taking into account some rounding. For example, under IDWR's proposals for 75-13948 and 75-13950, the 4 acres at the residence are entitled to 0.0225 cfs per acre (0.09 cfs divided by 4 acres), just above IDWR's state standard. This is in line with the recommended flow rate for all of the other water rights on lower Wallace Creek. However, if I were to change the flow rate on the water rights mentioned above to match your proposal, the duty of water would be 0.025 cfs per acre, which would put the duty of water on your residential property greater than that of your neighbors, making the water rights inequitable and potentially causing even greater conflicts among neighbors than we already have. Moving water from the Vistas lots to the residential lot would also make the duty of water on those lots inequitable when compared with the duty of neighboring landowners.

I realize this is a lot of information to process and I certainly welcome your questions. Our next hearing on this matter is scheduled for Monday, November 30.

Monica

Monica Van Bussum
Sr. Water Resource Agent
Water Management Division
Idaho Department of Water Resources
322 E. Front St.
PO Box 83720
Boise, ID 83720

(208) 287-4907

-----Original Message-----

From: iarrington@centurytel.net [mailto:iarrington@centurytel.net]
Sent: Sunday, October 25, 2009 11:58 AM
To: Van Bussum, Monica
Cc: dfcarey@quanesmith.net
Subject: proposed withdrawal of objections to amended director's report

Please review the attached. Please also provide confirmation that you received this. Happy Halloween.

Arden Arrington

SCANNED
NOV - 9 2009

	WR#	Priority date	Arr. area	Arr. cfs	IDWR adj. area	IDWR adj. cfs
Lot 11 (residence)	75-13948	1898	4	0.04	4	0.04
	75-13950	1902	4	0.06	4	0.05
Lot 1 (Vistas)	75-14444	1898	3.2	0.03	3.2	0.03
	75-14446	1902	3.2	0.03	3.2	0.04
Lot 2 (Vistas; Pensco)	75-14475	1898	3.2	0.03	3.2	0.03
	75-14447	1902	3.2	0.03	3.2	0.04
Total			10.4	0.22	10.4	0.22

SCANNED

NOV - 9 2009

ILENE AND ARDEN ARRINGTON
PO BOX 1110, SALMON, IDAHO 83467
208.756.1322

75-13948

13950

14444

14446

14475

14447

October 25, 2009

Monica Van Bussum
Sr. Water Resource Agent
Adjudication Bureau
IDWR
322 East Front St., PO Box 83720
Boise, Idaho 83720-0098

Dear Mrs. Van Bussum

In the interest of closure and of getting on to Wallace Creek issues that we believe to be far more important, Ilene and I have decided to withdraw our objections to the water right recommendations for our properties as issued in the *Amended Director's Report* of August 24, 2009— *if the adjudication bureau will agree to the solution proposed in this communication*. As you are aware, Ilene and I own 3 properties within the lower Wallace Creek area of distribution. Lot 2, Vistas at Diamond Creek is held within my IRA (Pensco Trust). We own the other two properties jointly.

We propose to redistribute slightly the total acreage and total volume of water recommended for our properties in the amended report of 8/24/09 within our 3 properties, to more closely match the acreages and volumes for our 3 properties as previously stated by IDWR in the Partial Decrees issued by the court on November 17, 2008. We have outlined those redistributions in the attached chart. The totals of both the acreage and the volume of water allotted to these 3 properties do not change.

You will recall that I stated that for our residence property, a survey of record was being prepared in order to call out a conservation easement for the mouth of Wallace Creek (0.65 acres) to be held by IDFG. This survey also calls out the surveyed area of the building footprint that should have been deducted from our residence property (4.88 acres) in IDWR's 8/24/09 recommendation for rights, based on the actual irrigated area. The surveyor's calculations (0.55 acres) based on actual surveyed area is essentially the same as the drawing that I sent you (0.58 acres) on September 3, 2009. You already have the survey of record for Lot 1 and Lot 2, Vistas at Diamond Creek showing the irrigated areas.

As soon as IDWR changes the (*amended*) recommended acreages and volume for these 3 properties, we will be happy to call it a deal and withdraw our objections. We can think of no reason why IDWR should have any justifiable grounds for not doing so.

Please send me an email confirmation that you have received this correspondence, so that we will not have to go to the additional trouble of mailing hard copies.

Sincerely,

Received via email 10/26/2009 MVB

Arden Arrington

Cc: Donald F. Carey

SCANNED

OCT 26 2009

**AREA AND VOLUME TOTALS AS RECOMMENDED 8/24/09 AMENDED DIRECTOR'S
VERSUS THOSE AS ADJUSTED PER THIS AGREEMENT ARE IDENTICAL.**

PROPERTY	RIGHT NUMBER/DATE		REC.AREA	REC.VOL	<u>ADJUSTED</u> AREA/VOLUME	
Lot 11 (residence)	75-13948	1898	3.8 acres	0.03 cfs	4.0 acres	0.04 cfs
	75-13950	1902	3.8 acres	0.05 cfs	4.0 acres	0.06 cfs NOTE 1
Lot 1, Vistas at Diamond Creek	75-14444	1898	2.4 acres	0.02 cfs	3.2 acres	0.03 cfs
	75-14446	1902	2.4 acres	0.03 cfs	3.2 acres	0.03 cfs NOTE 2
Lot 2, Vistas at Diamond Creek	75-14475	1898	4.2 acres	0.04 cfs	3.2 acres	0.03 cfs
	75-14447	1902	4.2 acres	0.05 cfs	3.2 acres	0.03 cfs NOTE 3
TOTALS			<u>10.4 ACRES</u>	<u>0.22 CFS</u>	<u>10.4 ACRES</u>	<u>0.22 CFS</u>

NOTE 1: Represents same area and volume as stated in 11/17/2008 Partial Decree

NOTE 2: Partial Decree 11/17/08 for 3 acres at 0.08 cfs combined 1898 and 1902

NOTE 3: Partial Decree 11/17/08 for 3 acres at 0.08 cfs combined 1898 and 1902

SCANNED
OCT 26 2009

ARDEN AND ILENE ARRINGTON
PO BOX 1110
SALMON, ID 83467
208.756.1322

RECEIVED
SEP 08 2009
DEPARTMENT OF
WATER RESOURCES

September 3, 2009

Monica P. Van Bussum
Sr. Water Resource Agent
IDWR Adjudication Bureau
322 East Front St., PO Box 83720
Boise, ID 83720-098

RE: Objections to Amended Director's Report dated August 24, 2009,
SRBA Civil Case # 39576; Rights #'s 75-13948, 75-13950, 75-14444, 75-14446

Dear Ms. Van Bussum:

As we discussed yesterday, I am forwarding to you copies of objections to the above-listed recommendations in the new Director's Report. As I mentioned, unlike other folks in this case, we received no notice of a court order setting aside the partial decrees that were conditionally granted back on November 17, 2008. Our rights had never been objected to, and IDWR had issued the partial decrees as recommended. Thus, I had no idea that your visit to our properties might have resulted in a reduction of our water rights. The information presented as justification in my objections has always been available to IDWR. Simple subtraction will verify the acreages irrigated, using the exhibits contained in this mailing. Had we received the same advance notice that others were given, I could have given you this information then, as part of our due process. Thus, and as I told you twice during our conversation, I am sorry that this has happened. You and I could have resolved this much earlier on.

As I mentioned, Ilene and I are the only water users in this case who currently raise livestock (sheep) on our property commercially. We and Gertrude Maxwell are the only two water users who currently irrigate pasture that is used for commercial grass leases to non-resident lessees. With the exception of the Gossacks, who pasture their 2 personal horses, *all of the other users are irrigating lawns.*

Regarding the objections for 75-13948 and 75-13950, as I told you yesterday, I will accept 4.0 acres, but not less. Regarding the objections for 75-14444 and 75-1446, that acreage should be raised to 3.2 acres.

If IDWR intends not to revise and reissue our recommendations, I will need to involve my attorney so that your agency can show cause for its decision. Otherwise, as stated on the objection forms, IDWR should contact me directly regarding its resolution of these matters.

Sincerely,



Arden Arrington

Cc: Donald F. Carey Esq., Quane Smith LLP

SCANNED
SEP 08 2009

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)

A.)

Subcase

75-13948

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

SEND
ALL NOTICES
TO →

Name:

L. ARDEN ARRINGTON

Address:

PO BOX 1110, SALMON ID 83467

Daytime Phone: 208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY, QUANE SMITH
2235 W. BROADWAY, SUITE B
IDAHO FALLS, ID 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

L. ARDEN ARRINGTON, ILENE ARRINGTON

Address:

PO BOX 1110, SALMON, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: ADJUSTED FOR CORRECT ACREAGE
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 4.3 ACRES
ALL IS IRRIGATED. SMALL COMMERCIAL
10. ☐ **I object because:**
SHEEP OPERATION SINCE
☐ This water right Should not exist. 2006.
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): PROPERTY IS 4.88 ACRES,
DEDUCTION FOR BUILDINGS/CONCRETE SHOULD BE
.58 ACRES. SEE SURVEY AND FOOTPRINT FOR DEDUCTION
(CALCULATION) SENT TO MONICA VAN BUSSEM @ IDWR

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.

County of LEMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



9-3-09
Susan Schaffner
Notary Public for Idaho
Residing at: 909 Main St. Salmon
My Commission Expires: 3-7-2015 ID

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 9/3/2009, 2009, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: SELF
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

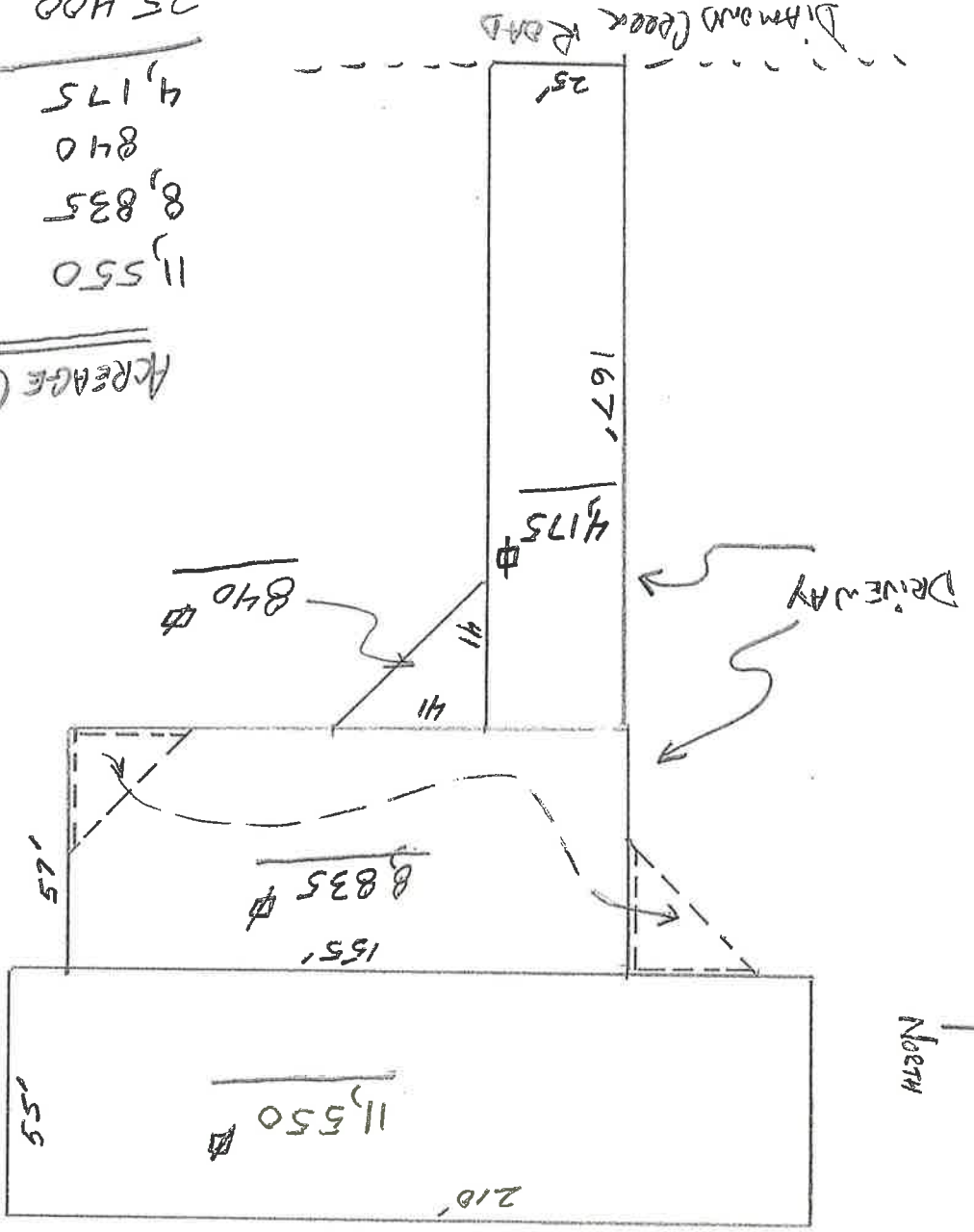

Signature of objector or attorney
mailing on Objector's behalf

75-13948
75-13950

L. ARDEN ARRINGTON / LENE ARRINGTON

291 Diamond Creek Rd
Salem, OR 97307

Salem River



ACREAGE CALCULATION

11,550	SQ. FT.
8,835	"
840	"
4,175	"
25,400	SQ. FT.

BUILDINGS/CONCRETE
ENVELOPE =

0.58 ACRE

* ALL OTHER ACREAGE IS IRRIGATED.

WITNESSED TO:

L. ARDEN ARRINGTON

3/2/09

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)

A.)

Subcase

75-14444

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

L. ARDEN ARRINGTON

Address:

Box 1110, SALMON ID 83467

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY; QUANE SMITH

2235 W. BROADWAY, SUITE B

IDAHO FALLS, ID. 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

ELENE ARRINGTON, L. ARDEN ARRINGTON

Address:

Box 1110, SALMON, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
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Should be: _____
3. ☒ **Quantity**
Should be: ADJUSTED FOR CORRECT ACREAGE
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Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 3,212 ACRES
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** SEE ATTACHED
SURVEYOR'S CERTIFICATE/SURVEY DATED 9/2/09, SENT
TO MONICA VAN BUSSUM @ IDWR

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of LEMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

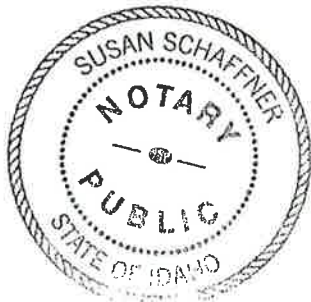
[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

9-3-09

[Signature]
Notary Public for Idaho
Residing at: 909 Main St. Salmon, ID
My Commission Expires: 3-7-2015



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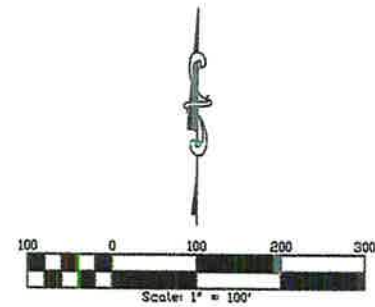
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United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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


Signature of objector or attorney
mailing on Objector's behalf

*Vistas at Diamond Creek
Part of
Section 6, T 22 N, R 22 E, BM
Lemhi County, Idaho.*



C.P. & F. INST.
NO. 181842

CENTERLINE
EXISTING IRRIGATION
DITCH

20 FT. UTILITY
EASEMENT

LOT 1
4.64 ACRES
SHADED AREA
3.212 ACRES

LOT 2
5.39 ACRES
SHADED AREA
4.146 ACRES

COUNTY RECORDER'S CERTIFICATE

Time: _____ Date: _____ Month: _____, 2005.
Book: _____ Page: _____ Instrument No. _____
Recorder: _____
By: _____

SURVEYORS CERTIFICATE

I, Thomas Taylor, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.



9/2/09

LEGEND



Section corner control



Placed 1/2" x 24" Rebar with a plastic cap marked "J&S L.S. 8348".



Placed 1/2" x 24" Rebar with a plastic cap marked "J&S L.S. 8348".



Found 5/8" Rebar with a plastic cap marked "WADE P.L.S. 5080".



Found 1/2" Rebar with a plastic cap marked "J&C L.S. 870".

P.O.B. POINT OF BEGINNING



SUBDIVISION PLAT

Grey Dog LLC
Sec. 6, T. 22 N., R. 22 E., B.M.

TAYLOR MOUNTAIN SURVEYING
PROFESSIONAL LAND SURVEYING

801 WALL STREET
BOZEMAN, IDAHO 83725
(208) 799-0001

DATE	REVISION	BY
09-02-09	1	TS
09-02-09	2	TS
09-02-09	3	TS

SCANNED
2009

6
7

C.P. & F. INST.
NO. 237345

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)

A.

Subcase

75-14446

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

L. ARDEN ARRINGTON

Address:

Box 1110, Salmon ID 83467

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY; QUANE SMITH

2235 W. BROADWAY, Suite B

IDAHO FALLS, ID 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

L. ARDEN ARRINGTON, ILENE ARRINGTON

Address:

Box 1110, Salmon ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

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Should be: _____
3. ☒ **Quantity**
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5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 3.212 ACRES
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 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** SEE ATTACHED
SURVEYOR'S CERTIFICATE / SURVEY DATED 9/2/09, SENT
TO MONICA VAN BUSSUM @ EDWR

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.

County of LAMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

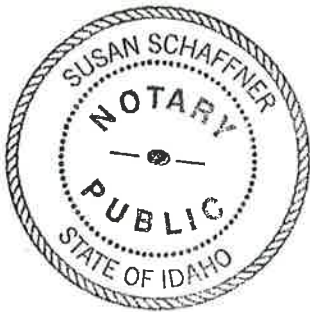
[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

9-3-09

Susan Schaffner
Notary Public for Idaho
Residing at: 909 Main St Salmon
My Commission Expires: 3-7-2015 ID.



INSTRUCTIONS FOR MAILING

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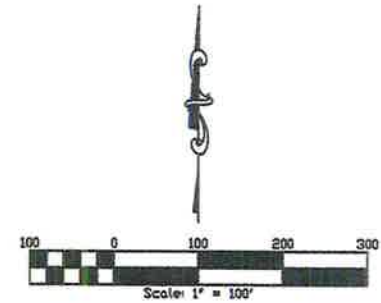
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PO Box 83720
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United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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


Signature of objector or attorney
mailing on Objector's behalf

*Vistas at Diamond Creek
Part of
Section 6, T 22 N, R 22 E, BM
Lemhi County, Idaho.*



C.P. & F. INST.
NO. 181849

CENTERLINE
EXISTING IRRIGATION
DITCH

20 FT. UTILITY
EASEMENT

LOT 1
4.64 ACRES
SHADED AREA
3.212 ACRES

LOT 2
5.39 ACRES
SHADED AREA
4.146 ACRES

COUNTY RECORDER'S CERTIFICATE

Time: _____ Date: _____ Month: _____, 2005.
Book: _____ Page: _____ Instrument No. _____
Recorder: _____
By: _____

SURVEYORS CERTIFICATE

I, Thomas Taylor, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Thomas Taylor License No. 8348 Date 9/2/09

LEGEND



Section corner control



Placed 1/2" x 24" Rebar with a plastic cap marked "TMS LS 8348".



Placed 1/2" x 24" Rebar with a plastic cap marked "TMS LS 8348".



Found 5/8" Rebar with a plastic cap marked "MADE P.L.S. 5080".



Found 1/2" Rebar with a plastic cap marked "J&C L.S. 970".

P.O.B. POINT OF BEGINNING.



SUBDIVISION PLAT

Grey Dog LLC
Sec. 6, T. 22 N., R. 22 E., B.M.

TAYLOR MOUNTAIN SURVEYING
PROFESSIONAL LAND SURVEYORS
603 MILLER STREET
BOZEMAN, IDAHO 83725
(208) 788-0881

APP. ONLY	DATE	COUNTY
APPROVED	09-02-09	IDAHO
REVIEWED	09-02-09	IDAHO
CHECKED	09-02-09	IDAHO
RECORDED	09-02-09	IDAHO

C.P. & F. INST.
NO. 237345

SCANNED

SEP - 8 2009

RECEIVED
SEP 08 2009
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 SRBA)

Case No. 39576)

A.

Subcase

75-13950

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

SEND ALL
NOTICES TO
→

Name:

L. ARDEN ARRINGTON

Address:

PO BOX 1110, SALMON ID

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY; QUANE SMITH

2235 W. BROADWAY, Suite B

IDAHO FALLS, ID 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

L. ARDEN ARRINGTON, ILENE ARRINGTON

Address:

PO BOX 1110, SALMON, ID 83467

SCANNED

SEP - 8 2009

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Should be: _____

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Should be: _____

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Should be: _____

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Should be: _____

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Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: ACREAGE SHOULD BE 4.3 ACRES

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DEDUCTION FOR BUILDINGS / CONCRETE SHOULD BE
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(CALCULATION) SENT TO MONICA VAN BUSSEM @ IDWR.

F.

VERIFICATION (must be completed)

State of IDAHO)

County of Lenzi) ss.

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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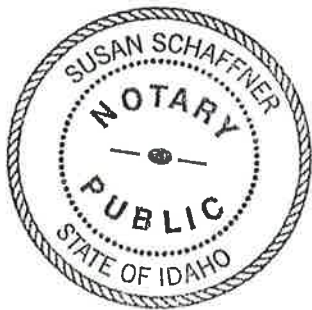
[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

9-3-09

Susan Schaffner
Notary Public for Idaho
Residing at: 909 Main St.
My Commission Expires: 3-7-2015



INSTRUCTIONS FOR MAILING

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Name: _____

Address: _____

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United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

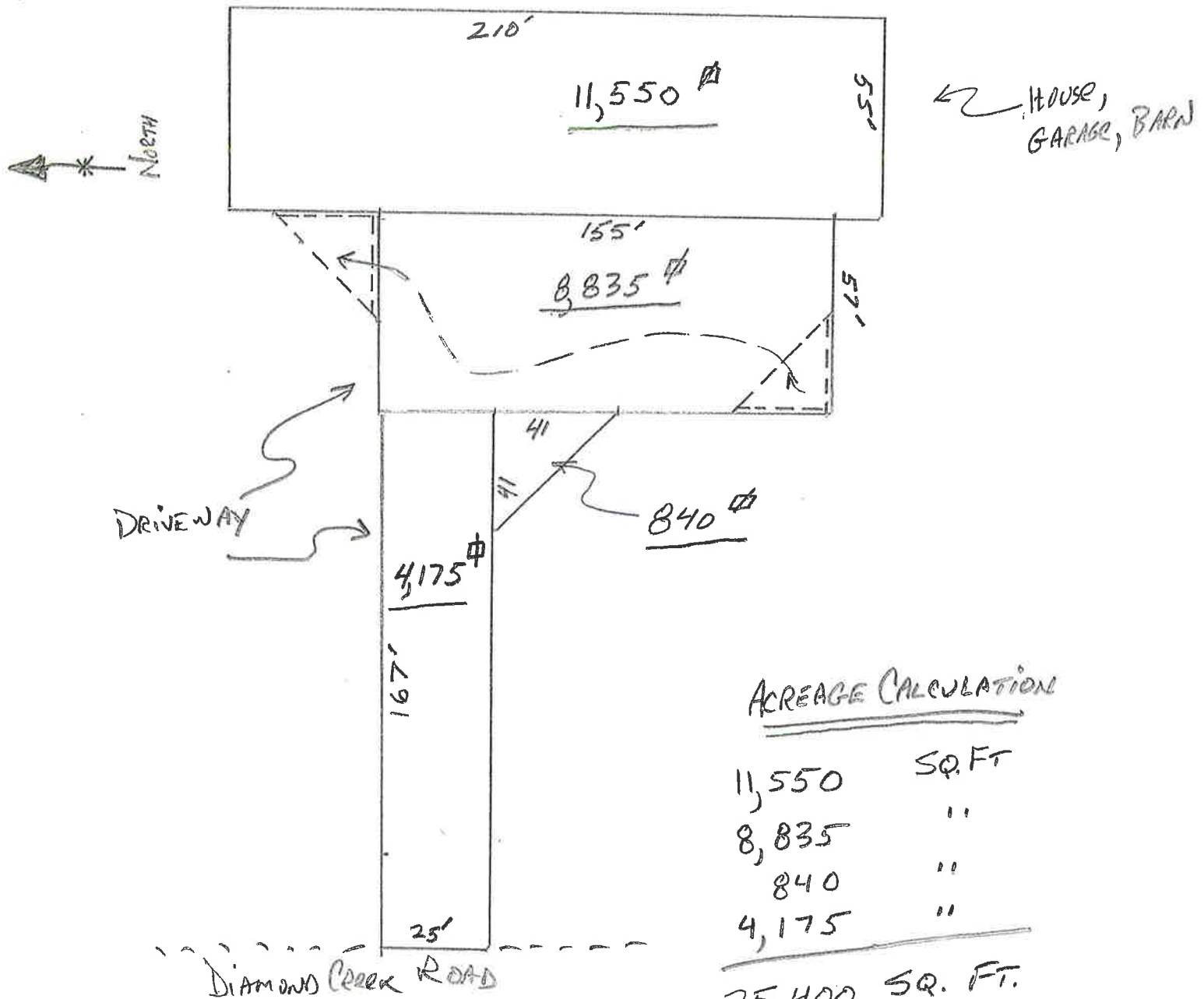
L. ARDEN ARRINGTON / ILENE ARRINGTON

29, DIAMOND CREEK RD.
SALMON, ID 83467

75-13948

75-13950

SALMON RIVER



ACREAGE CALCULATION

11,550	SQ. FT
8,835	"
840	"
4,175	"

25,400 SQ. FT.

BUILDINGS/CONCRETE
ENVELOPE =

0.58 ACRE

ALL OTHER ACREAGE IS IRRIGATED.

ATTESTED TO:

L. Arden Arrington
L. ARDEN ARRINGTON

9/2/09

SCANNED

SEP - 8 2009

ARDEN AND ILENE ARRINGTON
PO BOX 1110
SALMON, ID 83467
208.756.1322

RECEIVED
SEP 08 2009
DEPARTMENT OF
WATER RESOURCES

September 3, 2009

Monica P. Van Bussum
Sr. Water Resource Agent
IDWR Adjudication Bureau
322 East Front St., PO Box 83720
Boise, ID 83720-098

RE: Objections to Amended Director's Report dated August 24, 2009,
SRBA Civil Case # 39576; Rights #'s 75-13948, 75-13950, 75-14444, 75-14446

Dear Ms. Van Bussum:

As we discussed yesterday, I am forwarding to you copies of objections to the above-listed recommendations in the new Director's Report. As I mentioned, unlike other folks in this case, we received no notice of a court order setting aside the partial decrees that were conditionally granted back on November 17, 2008. Our rights had never been objected to, and IDWR had issued the partial decrees as recommended. Thus, I had no idea that your visit to our properties might have resulted in a reduction of our water rights. The information presented as justification in my objections has always been available to IDWR. Simple subtraction will verify the acreages irrigated, using the exhibits contained in this mailing. Had we received the same advance notice that others were given, I could have given you this information then, as part of our due process. Thus, and as I told you twice during our conversation, I am sorry that this has happened. You and I could have resolved this much earlier on.

As I mentioned, Ilene and I are the only water users in this case who currently raise livestock (sheep) on our property commercially. We and Gertrude Maxwell are the only two water users who currently irrigate pasture that is used for commercial grass leases to non-resident lessees. With the exception of the Gossacks, who pasture their 2 personal horses, *all of the other users are irrigating lawns.*

Regarding the objections for 75-13948 and 75-13950, as I told you yesterday, I will accept 4.0 acres, but not less. Regarding the objections for 75-14444 and 75-1446, that acreage should be raised to 3.2 acres.

If IDWR intends not to revise and reissue our recommendations, I will need to involve my attorney so that your agency can show cause for its decision. Otherwise, as stated on the objection forms, IDWR should contact me directly regarding its resolution of these matters.

Sincerely,

COPY

Arden Arrington
Cc: Donald F. Carey Esq., Quane Smith LLP

RECEIVED
SEP 08 2009
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 SRBA)

Case No. 39576)

A.

Subcase

75-13948

(Insert water right number)

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SEND
ALL NOTICES
TO →

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L. ARDEN ARRINGTON

Address:

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Daytime Phone: 208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY, QUANE SMITH
2235 W. BROADWAY, Suite B
IDAHO FALLS, ID 83402-2948

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Should be: _____
8. ☐ **Period of Year**
Should be: _____
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Should be: ACREAGE SHOULD BE 4.3 ACRES
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(CALCULATION) SENT TO MONICA VAN BUSSEM @ IDWR

F.

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State of IDAHO)
)ss.

County of LEMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



9-3-09
Susan Schaffner
Notary Public for Idaho
Residing at: 909 Main St. Salmon
My Commission Expires: 3-7-2015 ID

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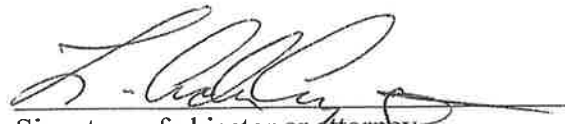
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United States Department of Justice
Environment & Nat'l Resources Div
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Boise, ID 83724

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


Signature of objector or attorney
mailing on Objector's behalf

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)

A. Subcase

75-13950

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

SEND ALL
NOTICES TO
→

Name:

L. ARDEN ARRINGTON

Address:

PO BOX 1110, SALMON ID

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY; QUANE SMITH

2235 W. BROADWAY, Suite B

IDAHO FALLS, ID 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

L. ARDEN ARRINGTON, ILENE ARRINGTON

Address:

PO BOX 1110, SALMON, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____

2. ☐ **Source**
Should be: _____

3. ☒ **Quantity**
Should be: ADJUSTED FOR CORRECT ACREAGE

4. ☐ **Priority Date**
Should be: _____

5. ☐ **Point of Diversion**
Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____

7. ☐ **Purpose(s) of Use**
Should be: _____

8. ☐ **Period of Year**
Should be: _____

9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 4.3 ACRES

10. ☐ **I object because:**
ALL IS IRRIGATED; SMALL COMMERCIAL SHEEP OPERATION SINCE 2006.

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** PROPERTY IS 4.88 ACRES.
DEDUCTION FOR BUILDINGS / CONCRETE SHOULD BE
0.58 ACRES, SEE SURVEY AND FOOTPRINT FOR DEDUCTION
(CALCULATION) SENT TO MONICA VAN BUSSEM @ IDWR.

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.

County of LEMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

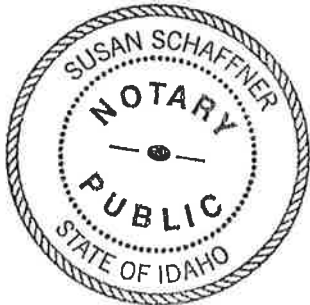
[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

9-3-09

[Signature]
Notary Public for Idaho
Residing at: 909 Main St.
My Commission Expires: 3-7-2015



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 9/3/09, 2009, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

RECEIVED

SEP 08 2009

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 SRBA)

Case No. 39576)

A.

Subcase

75-14444

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

L. ARDEN ARRINGTON

Address:

Box 1110, SALMON ID 83467

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY, QUANE SMITH

2235 W. BROADWAY, Suite B

IDAHO FALLS, ID. 83402-2948

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

ILENE ARRINGTON, L. ARDEN ARRINGTON

Address:

Box 1110, SALMON, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: ADJUSTED FOR CORRECT ACREAGE
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 3,212 ACRES
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** SEE ATTACHED
SURVEYOR'S CERTIFICATE/SURVEY DATED 9/2/09, SENT
TO MONICA VAN BUSSUM @ IDWR

F.

VERIFICATION (must be completed)

State of IDAHO)

)ss.

County of LEMHI)

L. ARDEN ARRINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

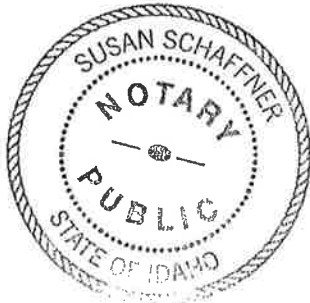
[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____

9-3-09

[Signature]
Notary Public for Idaho
Residing at: 909 Main St. Salmon, ID
My Commission Expires: 3-7-2015



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 9/3/09, 200__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: SELF
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

RECEIVED

SEP 08 2009

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 SRBA)

A. Subcase

75-14446

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

SEND ALL
NOTICES TO
→

Name:

L. ARDEN ARRINGTON

Address:

Box 1110, Salmon ID 83467

Daytime Phone:

208-756-1322

Name & Address of Attorney, if any:

DONALD CAREY; QUANE SMITH

2235 W. BROADWAY, Suite B

IDAHO FALLS, ID 83402-2848

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

L. ARDEN ARRINGTON, ILENE ARRINGTON

Address:

Box 1110, Salmon ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: ADJUSTED FOR CORRECT ACREAGE
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ACREAGE SHOULD BE 3.212 ACRES
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** SEE ATTACHED
SURVEYOR'S CERTIFICATE / SURVEY DATED 9/2/09, SENT
TO MONICA VAN BOSSUM @ IDWR

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.

County of LAMHI)

L. ARDEN ARINGTON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

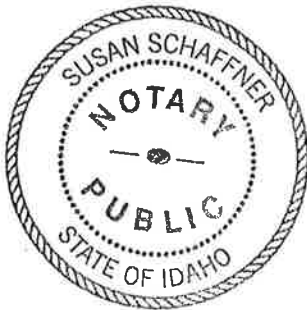
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 9-3-09

Susan Schaffner
Notary Public for Idaho
Residing at: 909 Main St. Salmon,
My Commission Expires: 3-7-2015 ID.



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 9/3/09, 200 , I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

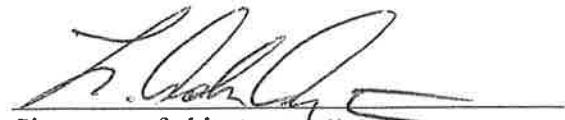
Name: SELF
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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


Signature of objector or attorney
mailing on Objector's behalf

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-12-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

October 27, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ILENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

RE: Notice of Change of Name for 75-13948, 75-13950, 75-14444 & 75-14446 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Sullivan:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of a notice correcting the spelling of Ilene's name for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Bobby Kern
Office Specialist II

Enclosure

SCANNED

SCANNED

NOV 17 2008

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)

Water Rights: 75-13948,
75-13950, 75-14444 & 75-14446

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party IRENE ARRINGTON – ILENE ARRINGTON
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 11-13-08

Ernest Carlson
Signature of IDWR Representative

SCANNED
NOV 17 2008

CERTIFICATE OF MAILING

I certify that on November 14, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
ILENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Bobby Kern

Signature of person or attorney mailing the form

SCANNED

NOV 17 2008

10/27/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13950
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

ILENE ARRINGTON
BOX 1110
SALMON ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.060 CFS
14.00 AFY

PRIORITY DATE: 06/01/1902

POINT OF
DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.060 CFS 14.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 11 NESW 4.00

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-13948 & 75-13950.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-84D.

SCANNED
NOV 17 2008

10/27/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13948
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467
ILENE ARRINGTON
BOX 1110
SALMON ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
14.00 AFY

PRIORITY DATE: 05/13/1898

POINT OF
DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.040 CFS 14.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 11 NESW 4.00

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-13948 & 75-13950.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-83F.

SCANNED
NOV 17 2008

10/27/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14444
NAME AND ADDRESS: ILENE ARRINGTON
BOX 1110
SALMON ID 83467

L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.024 CFS

PRIORITY DATE: 05/13/1898

POINT OF
DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.024 CFS
<u>PLACE OF USE: IRRIGATION in LEMHI County</u>		
T22N R22E S06	SENW 3.40	

3.4 ACRES TOTAL

3.4 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 75-14444,
75-14446, 75-14564

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13955

SCANNED
NOV 17 2008

10/27/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14446
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467
ILENE ARRINGTON
BOX 1110
SALMON ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.033 CFS
PRIORITY DATE: 06/01/1902

POINT OF
DIVERSION: T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.033 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S06	SENW 3.40	
	3.4 ACRES TOTAL		

3.4 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 75-14444,
75-14446, 75-14564

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13957 .

SCANNED
NOV 17 2008

4/08

RECEIVED
OCT 17 2008

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

Updated by _____

Date _____

Name
CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s):

75-13950 *ADD*
75-13948 *ADD*
75-14444 *ADD*
75-14446 *ADD*

[] Name(s):

L. Arden Arrington
Ilene Arrington

[] Old Mailing Address:

Box 1110
Salmon, Idaho

[] *Name*
New Mailing Address:

Wife's Name is misspelled!
We were please change
to Ilene which is correct.
(208) 756-1322

Telephone Number:

Email:

[] Signature(s) of Owner(s)

[Signature]
Ilene Arrington
(Include your title if on behalf of company or organization)

Date:

10-8-08

Send a signed original to your closest regional office:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

SCANNED
NOV 17 2008

✓
IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

01/08/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14444
NAME AND ADDRESS: IRENE ARRINGTON
BOX 1110
SALMON ID 83467
L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

ILENE

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.030 CFS
PRIORITY DATE: 05/13/1898
POINT OF DIVERSION: T22N R22E S6 NWSW Lot 7 Within LEMHI County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	0.030 CFS
PLACE OF USE: <u>IRRIGATION in LEMHI County</u>		
T22N R22E S06 SENW 3.00		
3 ACRES TOTAL		

Right Nos. 75-14444 and 75-14446 are limited to the irrigation of a combined total of 3 acres in a single irrigation season.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13955 .

SCANNED
NOV 17 2003

01/08/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14446
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

IRENE ARRINGTON
BOX 1110
SALMON ID 83467

ILENE

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.050 CFS
PRIORITY DATE: 06/01/1902
POINT OF DIVERSION: T22N R22E S6 NWSW Lot 7 Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.050 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S06	SENE 3.00	
	3 ACRES TOTAL		

Right Nos. 75-14444 and 75-14446 are limited to the irrigation of a combined total of 3 acres in a single irrigation season.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13957 .

SCANNED

NOV 17 2008

02/03/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13948
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

IRENE ARRINGTON
BOX 1110
SALMON ID 83467

ILENE

SOURCE: WALLACE CREEK
QUANTITY: 0.040 CFS
14.00 AFY
PRIORITY DATE: 05/13/1898
POINT OF
DIVERSION: T22N R22E S6 NWSW Lot 7 Within LEMHI County
PURPOSE AND
PERIOD OF USE:

TRIBUTARY: SALMON RIVER

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
PLACE OF USE:	IRRIGATION	04/01 11/01	0.040 CFS 14.00 AFY
	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S06 Lot 11 NESW 4.00		
	4 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-13948 & 75-13950.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-83F.

SCANNED
NOV 17 2008

Basin 75 Director's Report

Post-it® Fax Note	7671	Date 10/8	# of pages 6
To Susan	From Bob Foster	Co.	
Co./Dept		Phone #	
Phone #		Fax #	

01/08/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13950
NAME AND ADDRESS: L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

IRENE ARRINGTON
BOX 1110
SALMON ID 83467

ILENE

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.060 CFS
14.00 AFY
PRIORITY DATE: 06/01/1902
POINT OF
DIVERSION: T22N R22E S6 NWSW Lot 7 Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.060 CFS 14.00 AFY
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S06 Lot 11 NWSW	4.00	
	4 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-13948 & 75-13950.

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: BASIS OF CLAIM - Decreed

This right is a split from former right 75-84D.

SCANNED
NOV 17 2003

State of Idaho) 266570
County of Lemhi) SS No.

This instrument was filed for record at the request
of Alhaine Little

at 3:40 o'clock P.m. 3-16 2006

and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By Jane Eagle Deputy

Fee 6-
Return to A.T.

WARRANTY DEED

Order No.:3070603457L-D

FOR VALUE RECEIVED

Ray C. Hathhorn, a single person and Linda Heffner, who acquired title as Linda Hathhorn, a single person.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Louis Arden Arrington and Ilene Jill Arrington, Husband and Wife

whose current address is

291 Diamond Creek Rd Salmon, ID 83467

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 11 AND 13, SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NUMBER 1 OF TRACT 37, FROM WHICH CORNER NUMBER 2 OF TRACT 37 BEARS N. 76° 23' 19" W., 144.86 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 07° 56' 38" E. A DISTANCE OF 1404.93 FT. TO A POINT ON THE WESTERLY BANK OF THE SALMON RIVER AND THE POINT OF BEGINNING.

THENCE N. 81° 15' 12" W. A DISTANCE OF 280.18 FT. TO A POINT ON THE CENTERLINE OF DIAMOND CREEK ROAD.

THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES:

N. 00° 03' 28" W., 57.99 FT.; 173.78 FT. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 455.18 FT.; A DELTA OF 21° 52' 27" AND A CHORD BEARING N. 10° 52' 43" E. FOR 172.72 FT.;

N. 21° 48' 55" E., 173.25 FT.; 331.18 FT. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 458.74 FT., A DELTA OF 41° 21' 49" AND A CHORD BEARING N. 42° 29' 48" E. FOR 324.03 FT.;

N. 43° 45' 15" E., 59.03 FT.; N. 34° 01' 04" E., 89.31 FT.;

THENCE S. 32° 10' 14" E. A DISTANCE OF 91.18 FT.;

THENCE S. 67° 03' 26" E. A DISTANCE OF 133.08 FT. TO SAID WESTERLY BANK OF THE SALMON RIVER;

THENCE ALONG SAID BANK THE FOLLOWING COURSES AND DISTANCES;

S. 44° 26' 47" W., 57.82 FT.; S. 39° 56' 58" W., 107.42 FT.;

S. 31° 03' 54" W., 116.41 FT.; S. 16° 49' 09" W., 453.64 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE ROAD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

SCANNED
NOV 17 2008

266570

Dated: 3-16-06

Linda Heffner
Linda Heffner

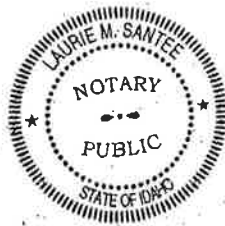
Ray C. Hathorn
Ray C. Hathorn

State of Idaho

County of Lemhi } ss.

On this 16th day of March, in the year 2006 before me, a Notary Public in and for said state, personally appeared Linda Heffner & Ray C. Hathorn known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

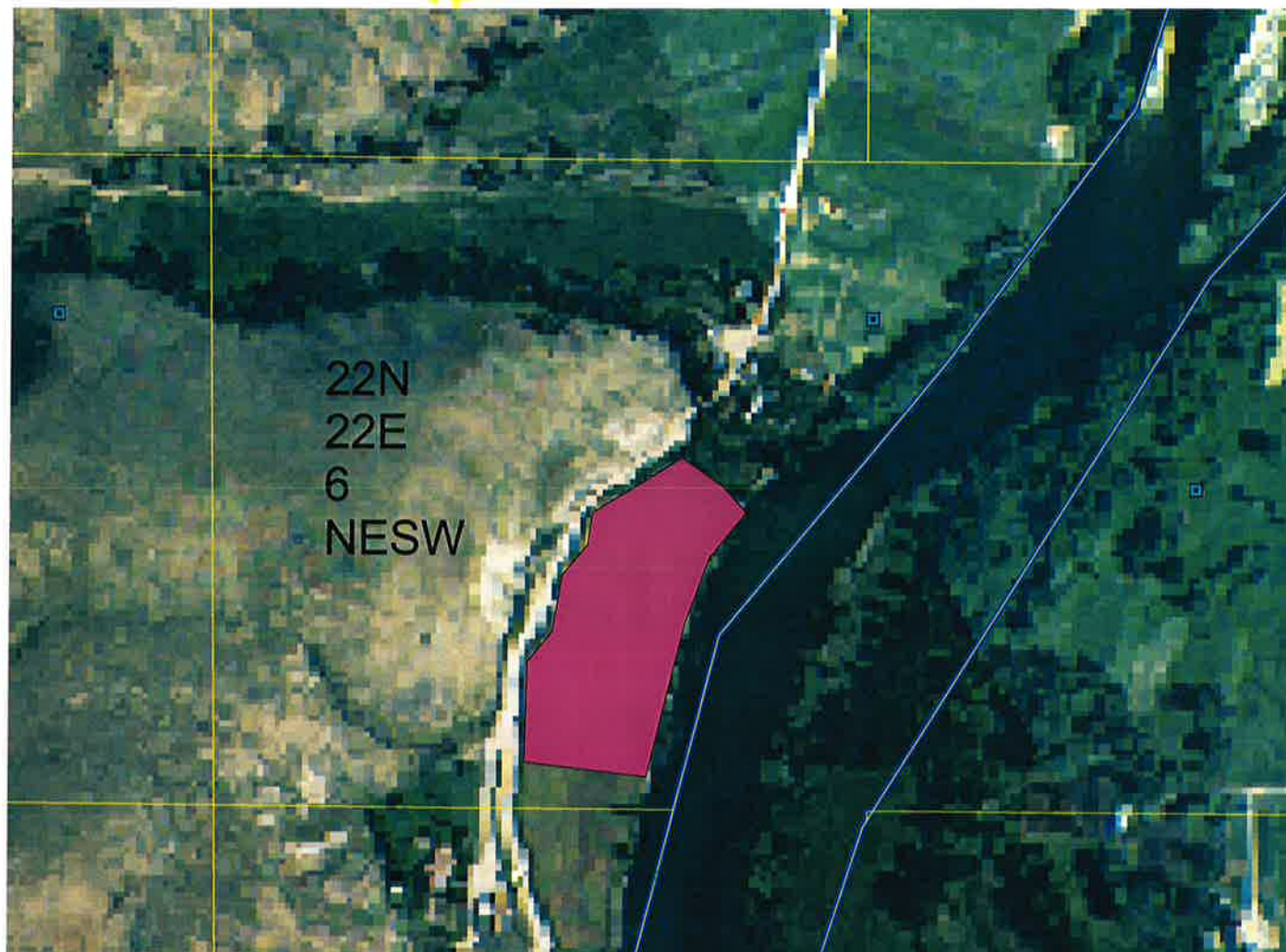


Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

SCANNED
NOV 17 2003

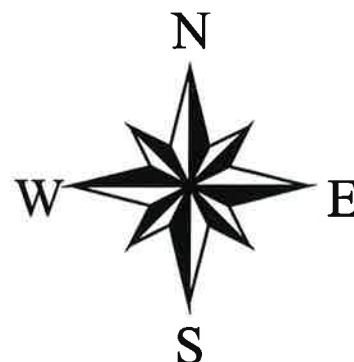
75-13948

75-13950



0.09 0 0.09 0.18 Miles

-  QQ
-  Sections
-  75-13948.shp
-  GCDB22N22E GCDB
-  POD-AJ ClaimClaim POD





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAYMOND & LINDA HATHHORN
PO BOX 134
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-00083F, A75-00084D

Dear Mr. & Mrs. Hathhorn:

In response to your discussion with Water Agent Craig Saxton, we corrected the ownership on the above referenced claims.

Since the change in ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-00083F SPLIT INTO:
A75-13948, 0.04 CFS ON 4 ACRES, HATHHORN
A75-13949, 0.04 CFS ON 4 ACRES, BARNARD

A75-00084D SPLIT INTO:
A75-13950, 0.06 CFS ON 4 ACRES, HATHHORN
A75-13951, 0.06 CFS ON 4 ACRES, BARNARD

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

MEMORANDUM

Date: 8/16/00

From: Craig L. Saxton

Subject: Splitting A75-00083F and A75-00084D

Met with Linda Heffner 8/14/00. She was concerned that when she sold a portion of her property all of the water rights were changed into the buyer's name. Below is the history of what happened with the right.

1994: Heffner bought 8.61 acres from Maxwell. Maxwell's water rights were split giving Heffner her proportionate share in water rights A75-00083F and A75-00084D. The two rights together summed to 8 acres and 0.20 cfs.

1996: Heffner sold approximately 4 acres of her 8 acres to Harvey. In 1997 A75-00083F and A75-00084D changed into Harvey's name. Leaving Heffner with 4 acres and no water rights.

1997: Harvey sells his 4 acres to Barnard. In 1998 A75-00083F and A75-00084D changed to Barnard's name.

8/14/00: In order to correct the error of not splitting the rights. A75-00083F and A75-00084D are split as follows:

A75-00083F: 0.08 cfs, 8 ac, Barnard

A75-13948 0.04 cfs, 4 ac, Heffner/Hathhorn

A75-13949 0.04 cfs, 4 ac, Barnard

A75-00084D: 0.12 cfs, 8 ac, Barnard

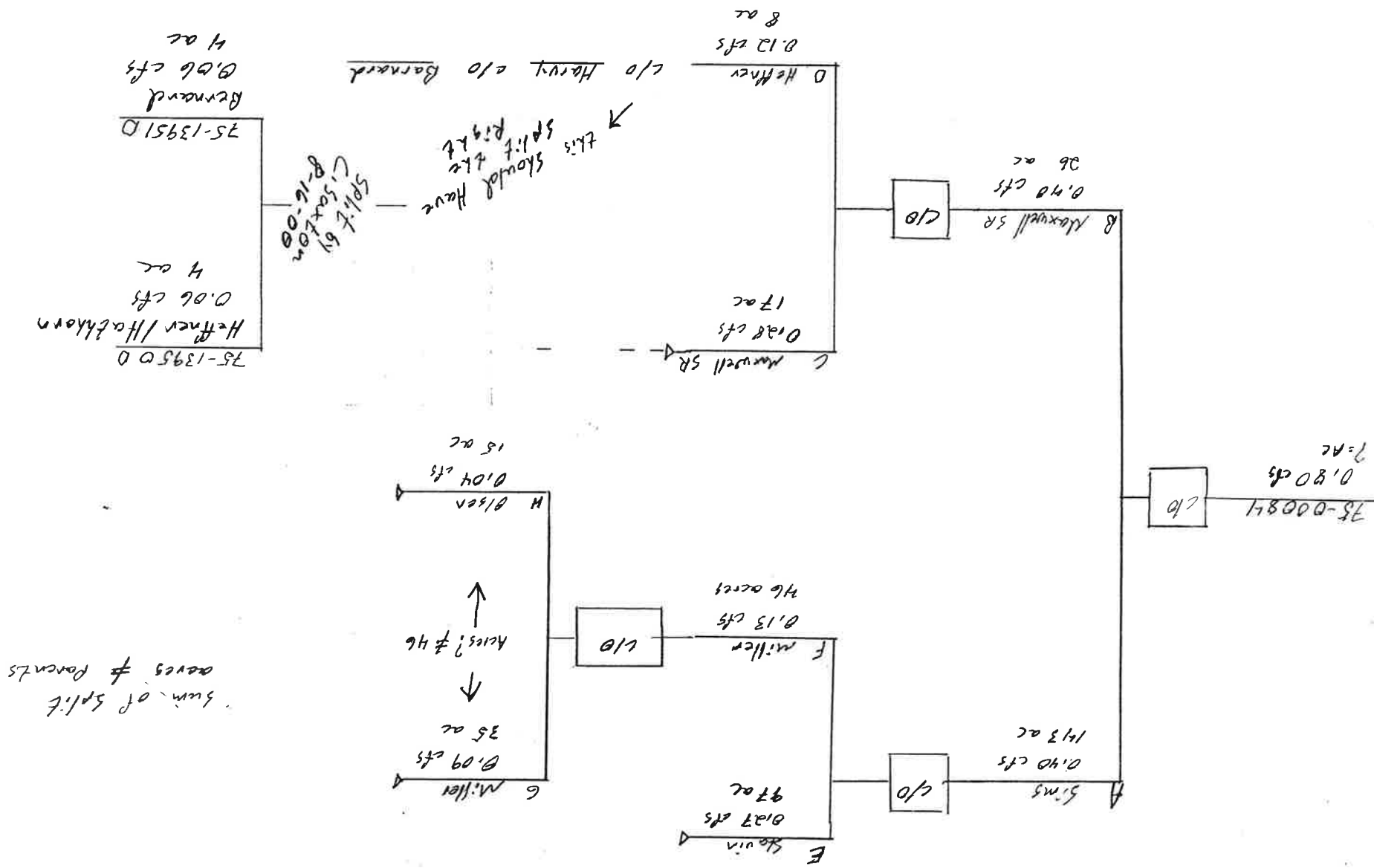
A75-13950 0.06 cfs, 4 ac, Heffner/Hathhorn

A75-13951 0.06 cfs, 4 ac, Barnard

Note: Linda Heffner has recently married, and her name is now Linda Hathhorn.

Chain of title History in A75-00083F

Split History 75-00084



Prepared by C. Saxon
8-14-00

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 75-13950
Date Received: 8/18/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: LINDA HATHHORN Phone: (208)756-4006

Address: PO BOX 134
SALMON ID USA 83467

Name: RAYMOND HATHHORN Phone: (208)754-4600

Address: PO BOX 134
SALMON ID USA 83467

2. Date of Priority: 06/01/1902

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
22N	22E	6	NE NW SW	LEMHI

5. Description of diverting works:

Source is Wallace Creek tributary to the Salmon River. Software wouldn't allow data entry.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.06	14

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 14 A.F.A.

A7513950



8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
22N	22E	6	NE	SW	11	IRRIGATION	4
						Section Acres	4
						Total Acres	4

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used: 75-13951

14. Remarks:

THIS RIGHT IS THE RESULT OF SPLITTING A75-00084D. CHANGE OF OWNERSHIP DONE IN 1997 SHOULD HAVE SPLIT THE RIGHT. THIS SPLIT IS TO CORRECT THAT ERROR (CSAXTON 8/18/00)

75-00084D: 0.12 CFS, 8 AC, BARNARD
75-13950: 0.06 CFS, 8 AC, HATHHORN
75-13951: 0.06 CFS, 8 AC, BARNARD

15. Basis of Claim: Decreed

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

of _____ 20__

Notary Public

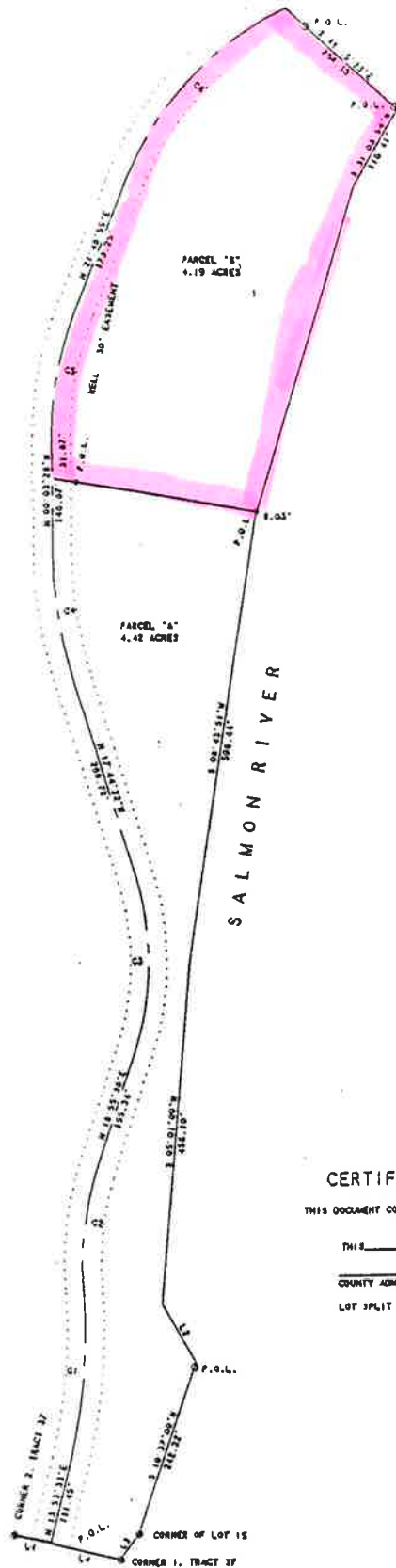
Residing at _____

My commission Expires _____

RECORD OF SURVEY

LOCATED IN GOVERNMENT LOTS 11 AND 13 OF SECTION 8,
T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI CO., IDAHO

NOTE: SEE R.O.S. INST NO. 224862



SCALE 1" = 100.00'

LEGEND

- FOUND GOVERNMENT BRASS CAP
- SET 5/8" X 24" REBAR WITH A 1 1/2" PLASTIC CAP
MARKED WIDE PLS 5000
- P.O.L. POINT ON LINE

LINE	BEARING	DISTANCE
L 1	N 76°33'19" W	49.16'
L 2	S 30°41'14" E	86.93'
L 3	S 37°04'28" W	43.09'
L 4	N 76°33'19" W	95.00'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	18°07'44"	720.34'	130.78'	116.26'	229.81'	N 04°49'41"E
C 2	23°00'48"	417.99'	166.94'	85.60'	167.84'	N 07°20'41"E
C 3	56°39'54"	340.37'	236.37'	122.39'	232.36'	N 09°35'37"E
C 4	17°46'54"	600.50'	185.32'	93.40'	164.56'	N 04°53'56"W
C 5	21°52'27"	455.18'	173.78'	87.96'	172.72'	N 10°52'42"E
C 6	41°21'49"	456.74'	331.16'	172.18'	324.03'	N 42°29'48"E

SURVEYOR'S CERTIFICATE

THIS MAP REPRESENTS A SURVEY MADE FROM EXISTING
FIELD EVIDENCE IN CONFORMANCE WITH THE REQUIREMENTS
OF CHAPTERS 16 AND 19, TITLE 55, IDAHO CODE,
SURVEYED 08-18-1993 FOR LINDA HEFFNER

LAURENCE J. WADE P.L.S. 5000

CERTIFICATE OF APPROVAL

THIS DOCUMENT CONFORMS TO THE CURRENT LAND USE ORDINANCE

THIS _____ DAY OF _____, 199____

COUNTY ADMINISTRATOR

LOT SPLIT APPLICATION NO. _____

COUNTY RECORDER'S CERTIFICATE

RECORDER OF LEMHI COUNTY

TIME: _____ AM, DAY: _____ MONTH: _____, 199____

BOOK: _____ PAGE: _____ INST. NO. _____

RECORDED: _____

BY: _____

WADE SURVEYING
505 GRANITE SALMON, IDAHO
208-756-3070 82467