

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 37-7296A
Date Received: 8/28/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RIVER ROCK RANCH L P Phone:
PO BOX 129
KETCHUM ID 83340

2. Date of Priority: 10/15/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05N	17E	26	NW	NE	NE	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	04/01	11/01	0.1	18.6

7. Total Quantity Appropriated is:

0.1 C.F.S. and/or 18.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	17E	26	NE	NE	IRRIGATION	5.3
Section Acres						5.3
Total Acres						5.3

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Rights 37-7296A and 37-11724 when combined shall not exceed the irrigation of 5.3 acres within Lot 1, Block 1, a replat of Osborne Subdivision, a portion of HES 128.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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: A37-07296
Date Received: 10/18/1988
Receipt No: M001633
Received By: Dannen K.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUFFY WITMER 208-726-4314
Address: P.O. BOX 129
KETCHUM, ID 83340

2. Date of Priority: OCT 15, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	17E	23		SW	SE		BLAINE

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		18.00

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 18.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	17E	23	SW	SE		IRR	6.0
Section Acres							6.0
Total Acres							6.0

A37-07296

Page 1

Date: 10/18/88

COPY

MICROFILMED
FEB 24 1993

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
H.E.S. 128.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Duth Witmer Date: 10/18/88
Sheila Witmer Date: 4

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Oct. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

COPY

MICROFILMED
FEB 24 1993

516

RECEIVED
11/21/2006
DEC 22 2006
DEPARTMENT OF
WATER RESOURCES

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: 37-7296A
RIVER ROCK RANCH L P
PO BOX 129
KETCHUM ID 83340

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:

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

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

DATE: 12/19/06 SIGNATURE: Sheila Witmer

Please print your name: SHEILA WITMER

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

I was out of town until 11/19/06
and only received this yesterday 12/18/06

RECEIVED

DEC 22 2006

DEPARTMENT OF
WATER RESOURCES

Shirley Wilson

09/19/2006

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

RIGHT NUMBER: 37-7296A

NAME AND ADDRESS: RIVER ROCK RANCH L P
PO BOX 129
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
18.600 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/15/1973

POINT OF DIVERSION:

T05N R17E S26 NWNENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.100 CFS
18.60 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T05N R17E S26 NENE 5.30

5.3 ACRES TOTAL

Rights 37-7296A and 37-11724 when combined shall not exceed the irrigation of 5.3 acres within Lot 1, Block 1, a replat of Osborne Subdivision, a portion of HES 128.

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 - License

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.



Idaho Department of Water Resources

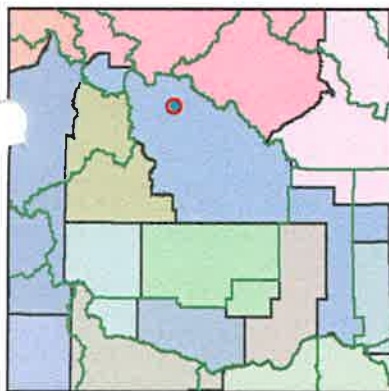
SRBA Recommendation:

37-7296A

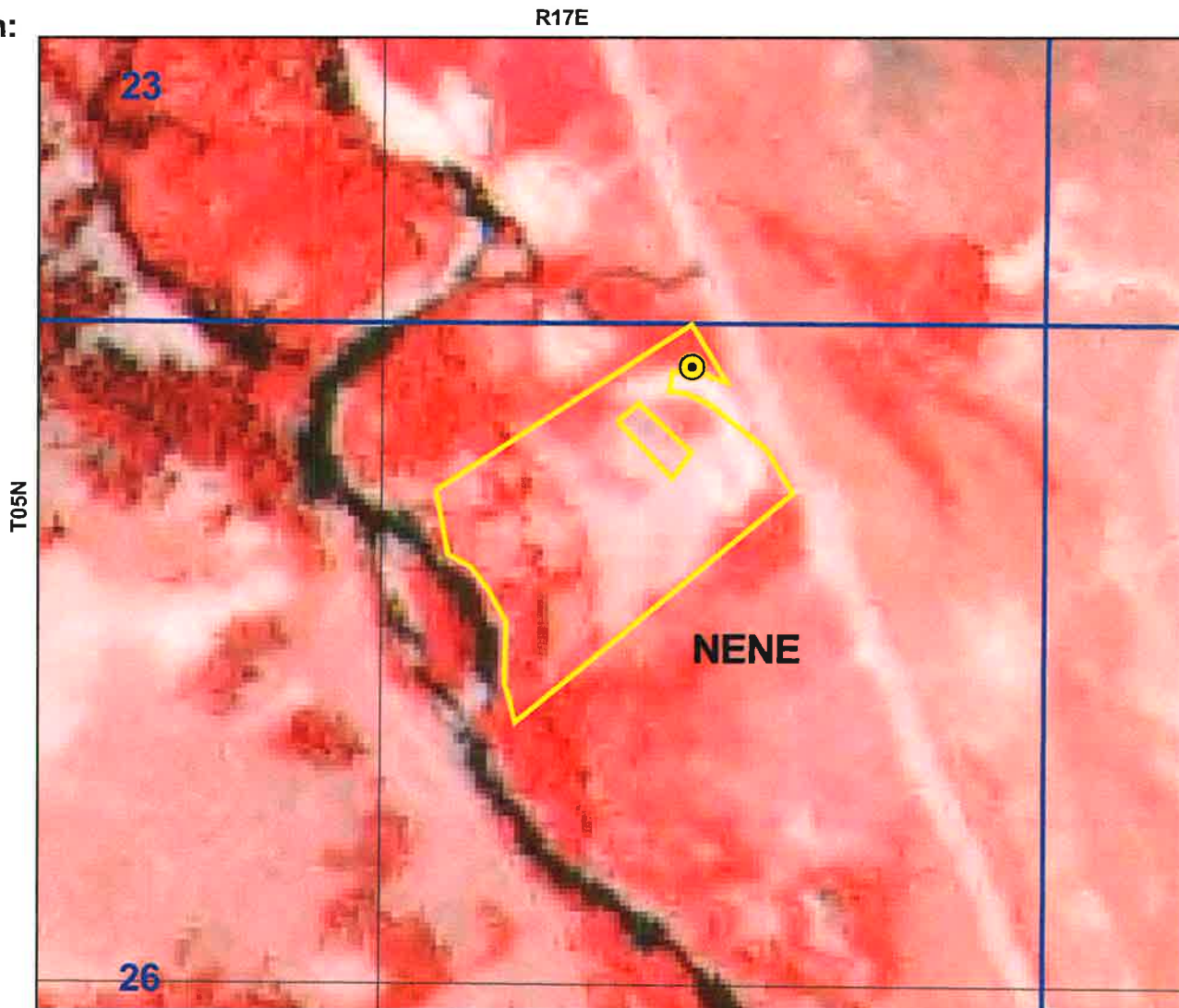
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

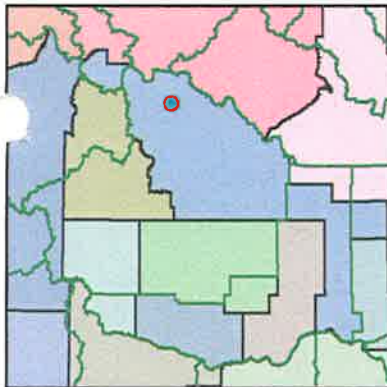
SRBA Recommendation:

37-7296A

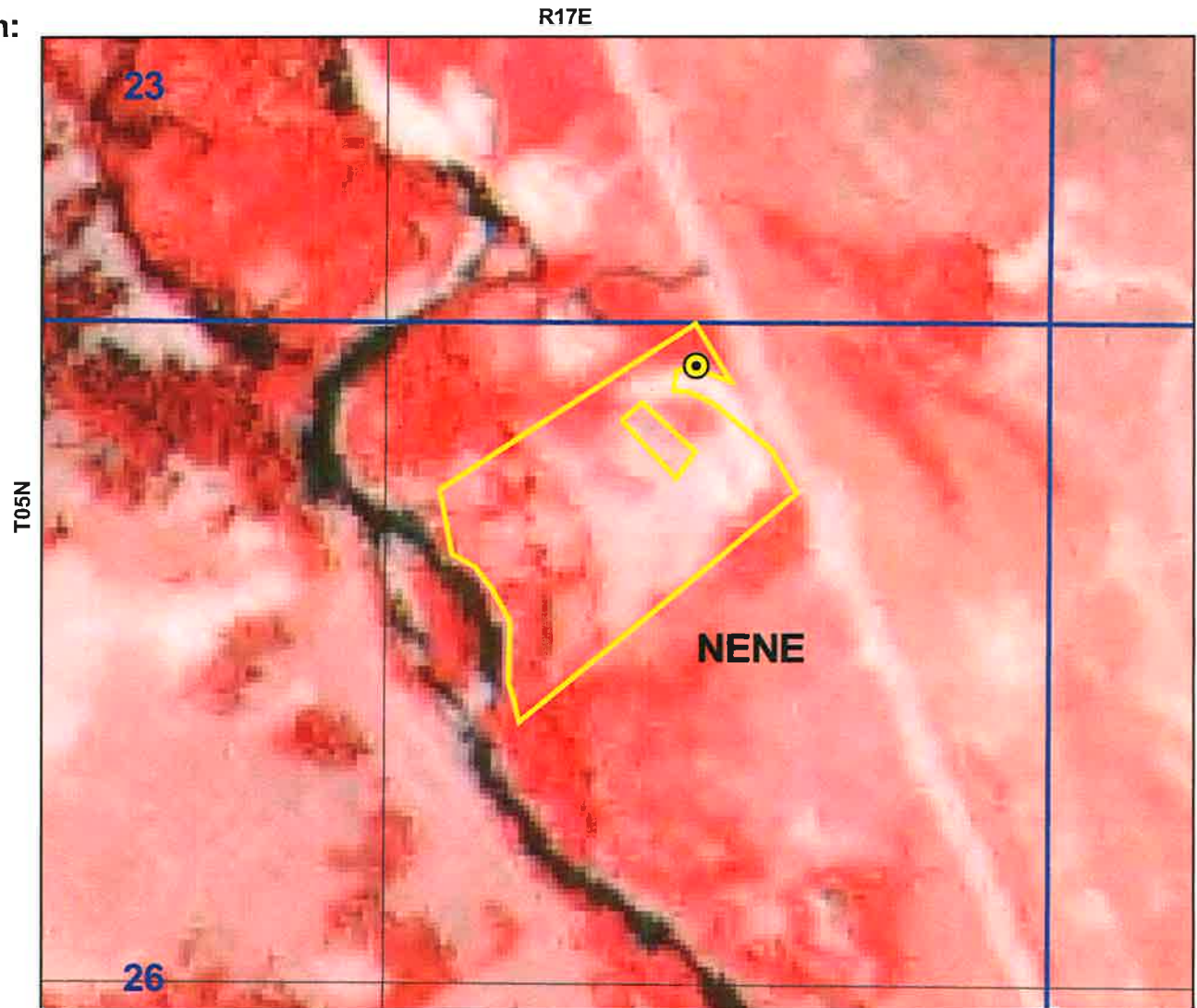
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66089

Antler
RECEIVED

NOV 19 2001

Department of Water Resources
Southern Region

This is to certify that: SHEILA WITMER And/Or
DUFFY WITMER
PO BOX 129
KETCHUM ID 83340
(208)726-4314

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
37-7296	AJC/License	10/15/1973	0.12 cfs	18.0 af	6.0	6.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-7296	YES	YES	NO	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-7296	37-7296B	N/A	2.4 af	N/A	N/A	37-7296A	0.10cfs	18.6 af	N/A	5.3
TOTALS		N/A	2.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of November, 2001

J. Glen Saxton
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7296A
As Modified by Transfer No. 66089

In accordance with the approval of Transfer No. 66089, Water Right No. 37-7296A is now described as follows.

Right Holder: RIVER ROCK RANCH L P
 PO BOX 129
 KETCHUM ID 83340

Priority Date: 10/15/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	18.6 AF
			0.10 CFS	18.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENE Sec. 26 Twp 05N Rge 17E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 17E 26	5.3																5.3

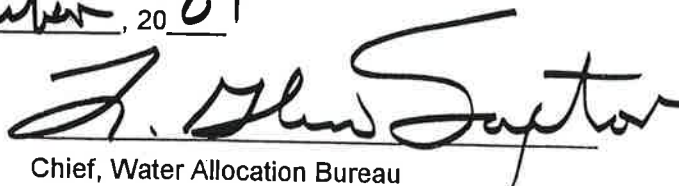
Total Acres: 5.3

CONDITIONS OF APPROVAL

1. Rights 37-7296A and 37-11724 when combined shall not exceed the irrigation of 5.3 acres within Lot 1, Block 1, a replat of Osborne Subdivision; a portion of HES 128.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15 day of November, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7296B
As Modified by Transfer No. 66089

In accordance with the approval of Transfer No. 66089, Water Right No. 37-7296B is now described as follows.

Right Holder: RIVER ROCK RANCH L P
 PO BOX 129
 KETCHUM ID 83340

Priority Date: 10/15/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC STORAGE	01/01	to 12/31		2.4 AF
				2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 26 Twp 05N	Rge 17E	BLAINE County
GROUND WATER	SWNE	Sec. 26 Twp 05N	Rge 17E	BLAINE County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	17E	26		X															

CONDITIONS OF APPROVAL

1. Groundwater is collected by natural fill of the excavated pond located within Lot 1, Block 1, a replat of Osborne Subdivision, a portion of HES 128.
2. Transfer 66089 approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of November, 2001


 Chief, Water Allocation Bureau