

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 37-21247
Date Received: 2/2/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

MARY CRUTCHFIELD HANDELSMAN Phone: (310)474-7175

PO BOX 10159
KETCHUM ID USA 83340

VADIM P KONDRATIEF Phone: (310)474-7175

PO BOX 10159
KETCHUM ID USA 83340

2. Date of Priority: 07/01/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	14	NW NW 4	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	17E	14	NW NW 4	DOMESTIC	

11. Place of use in counties: BLAINE

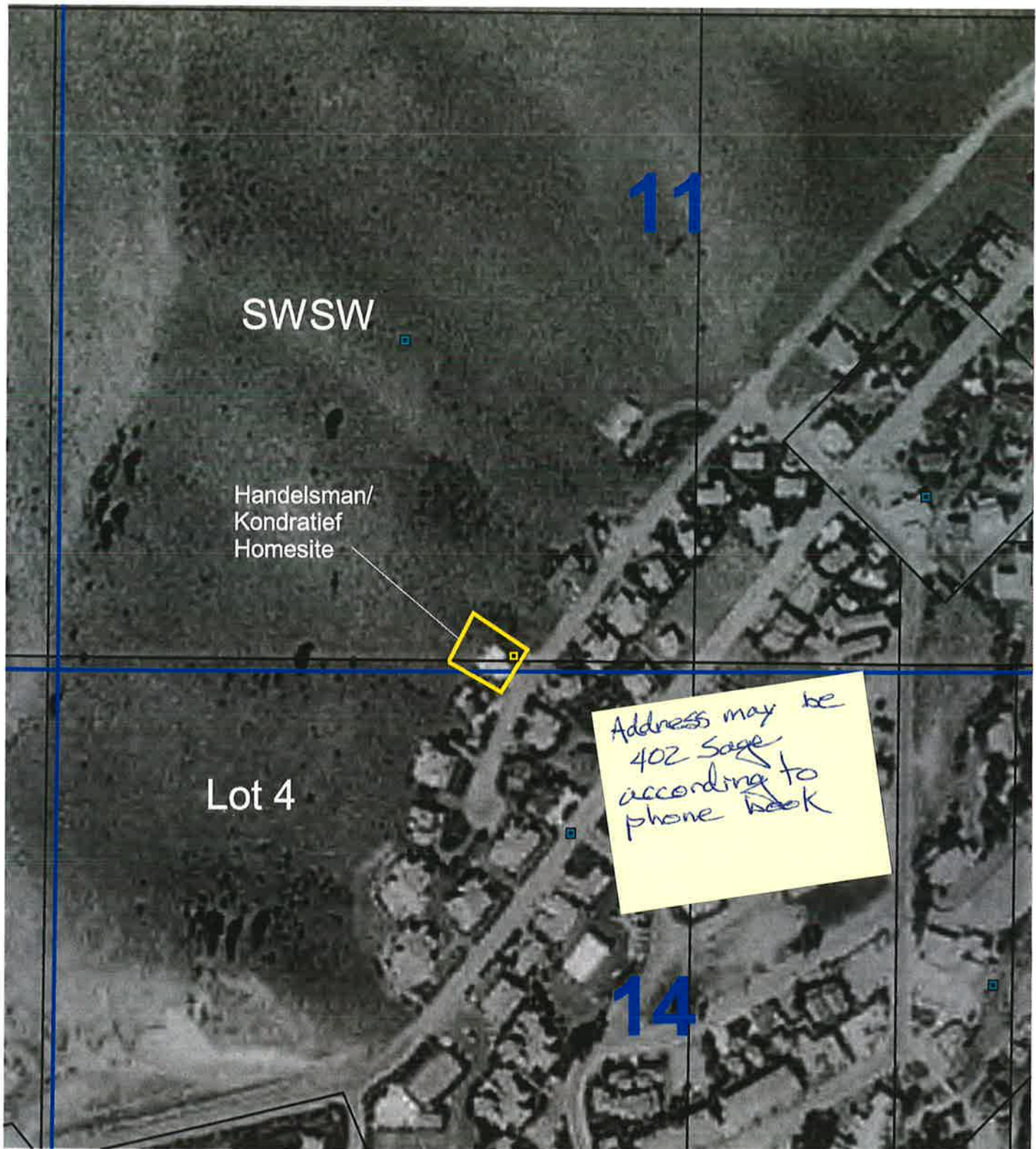
12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

2/2/04, DJ: PLACE OF USE FURTHER DESCRIBED AS LIVING SPRINGS TOWNHOMES,
FORMERLY DESCRIBED AS LOT 22, BLOCK 3 WARM SPRINGS VILLAGE SUBDIVISION FOURTH
ADDITION.

15. Basis of Claim: Beneficial Use



300 0 300 Feet



T4N R17E S11 & S14

2/2004
D. Jones



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

2/2/04

Fritz Haemmerle
Haemmerle & Haemmerle PLLC
PO BOX 1800/Hailey ID 83333

RE: Kondratief/Handelsman Claim

Dear Fritz,

I have completed data entry on the referenced claim, 37-21247, and have enclosed a printout of the computer record and receipt for the fees. Also enclosed is a map showing the estimated place of use.

The location of the house is presently an estimate and I request your assistance to more firmly locate it more accurately. None of the map products available to me includes addresses, lot numbers or other means to definitively describe the location. Ms. Handelsman residence, as appears in the phone book, is said to be located at 402 Sage Rd. As we discussed on the phone I believe it would be beneficial to your client if the map can be compared to the address by driving by and perhaps counting the buildings on the other side of the road up to the proper house number. This would be helpful because the map shows the house to be near the section line (blue line on the map) and locating the residence accurately may influence the correct legal descriptions.

Thank you very much for looking into this for your client and me. If the map needs correcting I will complete the work when I hear back from you and return a new map to you. Once we settle on the location you can forward the claim to your clients.

Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED
JAN 28 2004
Department of Water Resources
Southern Region

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 32-21247
Date Received 1/28/04
Receipt Number 5026455

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Vadim P. Kondratief and Mary Crutchfield Handelsman Phone (310) 474-7175
P.O. Box 10159 Ketchum, ID 83340

Mailing Address 1946 Overland Ave. No. 206 Zip 90025-580

2. Date of Priority (Only one per claim) July 1, 1960 Month/Day/Year

3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 4N Range 17E

Section 14, 1/4 of _____ 1/4 of SW 1/4, Govt. Lot 4, BM.,

County of Blaine

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. unknown

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

	Month/Day	to	Month/Day	(cfs)
For <u>Domestic</u> purposes from	<u>1/01</u>		<u>12/31</u>	<u>0.04</u>
	(Both dates are inclusive)			
For _____ purposes from	_____	to	_____	amount _____

7. Total quantity claimed 0.04cfs (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) _____

10. Place of use is: Township: 4N Range 17E

Section 14 1/4 of 1/4 Govt. Lot 4 B.M.,

County of Blaine for (Circle One) **Domestic** **Stock** **Domestic and Stock**

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use X Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Vedra P. K. K. K. K. K. Date 1/8/04
Mary C. Handelsman Date 1/8/04

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ Organization _____ of _____

and that the statements contained in the foregoing document are true and correct.

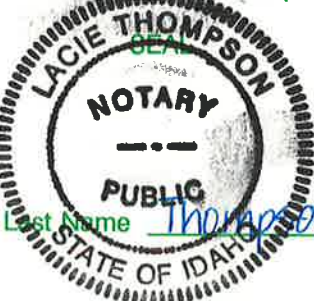
Signature of Authorized Agent Fritz X. Haemmerle F.X.H. Date 1/6/2004

Title and Organization Haemmerle & Haemmerle, P.L.L.C., P.O. Box 1800 Haily, ID 83333

State of Idaho/or _____)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 8th day of January 2004



Notary Public Lacie Thompson

Residing at Belleme, ID

My Commission Expires 1/14/2008

Ident No. _____

Copies: White-State, Yellow-Claimant

A PLAT SHOWING
LIVING SPRINGS TOWNHOMES
WHEREIN LOT 22, BLOCK 3, WARM SPRINGS VILLAGE SUBDIVISION FOURTH ADDITION IS DIVIDED INTO 2 TOWNHOUSE SUBLOTS
LOCATED WITHIN A PORTION OF THE SW/4 AND GOVT. LOT 4, SECTION 14, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
SEPTEMBER 2001
GRAPHIC SCALE

NOTES

- 1) SUBJECT PROPERTY LIES WITHIN THE CITY OF KETCHUM'S AVALANCHE ZONE DISTRICT AND MOUNTAIN OVERLAY ZONING DISTRICT AS DEFINED IN ZONING CODE TITLE 15. PERSONS DWELLING IN THIS AREA SHOULD BECOME FAMILIAR WITH THESE PORTIONS OF THE ORDINANCE AND DWELL HERE AT THEIR OWN RISK.
- 2) TOWNHOUSE DECLARATION, RECIPROCAL EASEMENT AND PARTY WALL AGREEMENT FOR LIVING SPRINGS TOWNHOMES IS RECORDED IN BLAINE COUNTY AS INSTRUMENT NO. _____
- 3) THERE SHALL BE NO CONSTRUCTION OUTSIDE OF THE BUILDING ENVELOPE AS DELINEATED BY THE 25% SLOPE LINE AND ZONING SETBACKS.
- 4) BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(1992) AT GRID IN U.S. SURVEY FEET. COMBINED SCALE FACTOR IS 0.9994861. GROUND DISTANCES WILL BE SLIGHTLY LONGER. CONVERGENCE ANGLE IS -01°50'21.3".

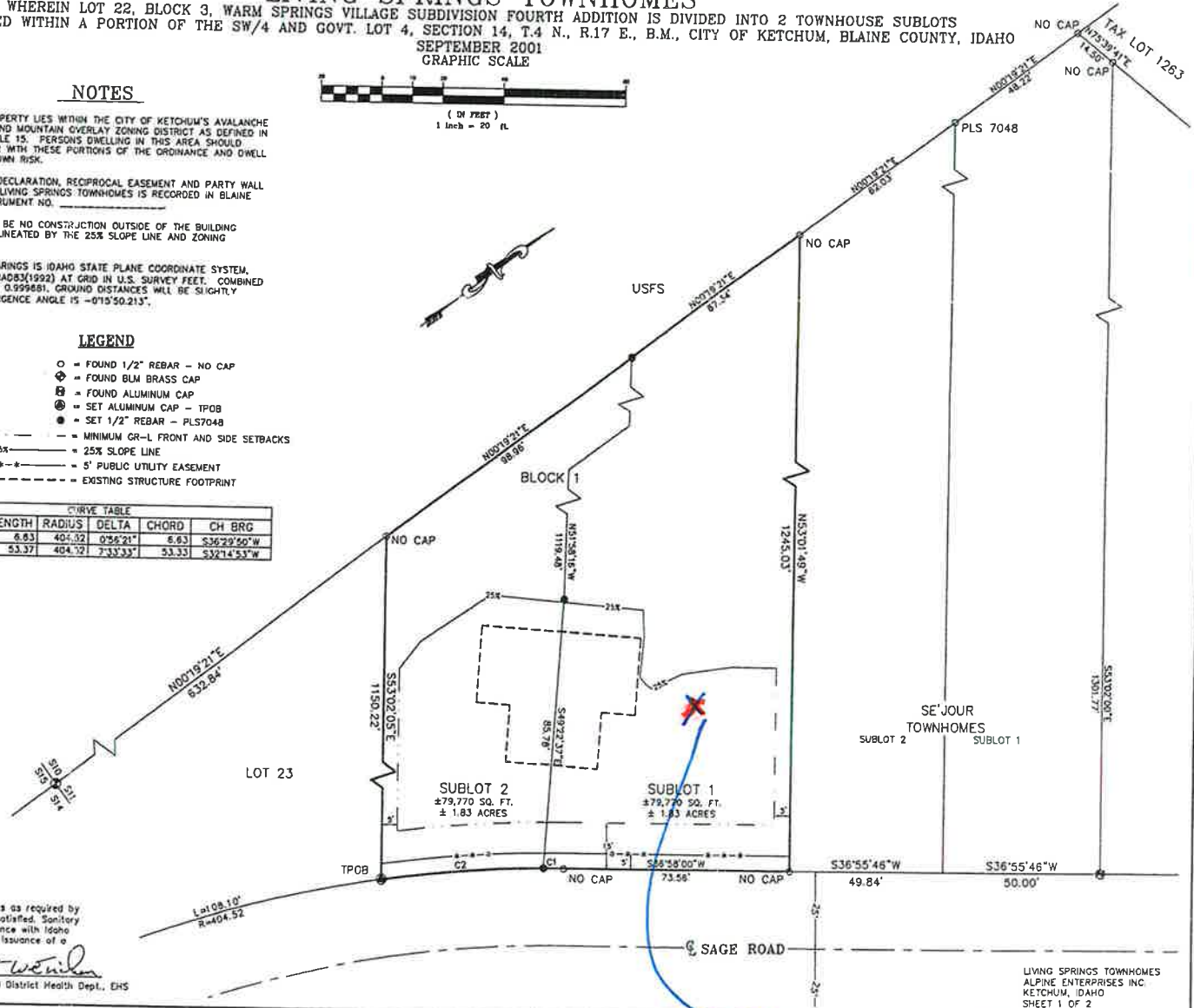
LEGEND

- = FOUND 1/2" REBAR - NO CAP
- ⊕ = FOUND BLM BRASS CAP
- ⊙ = FOUND ALUMINUM CAP
- ⊗ = SET ALUMINUM CAP - TPOB
- = SET 1/2" REBAR - PLS7048
- - - = MINIMUM GR-L FRONT AND SIDE SETBACKS
- - - = 25% SLOPE LINE
- - - = 5' PUBLIC UTILITY EASEMENT
- - - = EXISTING STRUCTURE FOOTPRINT

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BRG
C1	6.83	404.32	0°56'21"	6.83	S36°29'40"W
C2	53.37	404.32	7°33'33"	53.33	S32°14'53"W



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.
9-19-2001
Date
South Central District Health Dept., EHS



H AEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

January 24, 2004

RECEIVED
JAN 28 2004
Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Domestic Water Right Claim – May Handelsman and Vadim P. Kontratief

To Whom It May Concern:

Please find enclosed a water right claim filed by Mary Crutchfield Handelsman and Vadim P. Kontratief with a \$25.00 filing fee. Please advise if anything else is required.

Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
cc: client

01/05/2007

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

RIGHT NUMBER: 37-21247

NAME AND ADDRESS: MARY CRUTCHFIELD HANDELSMAN
PO BOX 10159
KETCHUM ID 83340

VADIM P KONDRATIEF
PO BOX 10159
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION:

T04N R17E S14 NWNW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

1.20 AFY

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in BLAINE County

T04N R17E S14 Lot 4 NWNW

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PLACE OF USE FURTHER DESCRIBED AS LIVING SPRINGS TOWNHOMES,
FORMERLY DESCRIBED AS LOT 22, BLOCK 3 WARM SPRINGS VILLAGE
SUBDIVISION FOURTH ADDITION.