

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: A73-02162  
Date Received: 12/ 1/1989  
Receipt No: M005285  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: DONALD L BARNES  
Address: HC 62 BOX 2190  
MAY ID

208-876-4483

83253

AND/OR

Name: DEBRA L BARNES  
Address: HC 62 BOX 2190  
MAY ID

208-876-4483

83253

2. Date of Priority: AUG 31, 1966

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 13N      | 23E   | 29      | NE     | SE     | NE  |     | CUSTER |

5. Description of diverting works:

#2 WELL 35 HP MOTOR WITH OPEN DISCHARGE AND FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.490 |      |        |

7. Total Quantity Appropriated is:

2.490 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 692.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A7302162

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 13N      | 23E   | 20      | SW     | NE  |     | IRR | 24.0  |
|          |       |         | SE     | NE  |     | IRR | 2.0   |
|          |       |         | SW     | NW  |     | IRR | 38.0  |
|          |       |         | SE     | NW  |     | IRR | 40.0  |
|          |       |         | NE     | SW  |     | IRR | 35.0  |
|          |       |         | NE     | SE  |     | IRR | 31.0  |
|          |       |         | NW     | SE  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 28.0  |
|          |       |         | SE     | SE  |     | IRR | 39.0  |

Section Acres 277.0

Total Acres 277.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
AC. IRR. = 277.5  
A73-02159 HAS BEEN USED FOR THE SAME PURPOSE.  
\*\*CHANGED OWNERSHIP 12/26/95/JT/HWJ\*\*

15. Basis of Claim: LICENSE

Water Right Number: 33152

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50<sup>2</sup> x

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID  
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: 3957

Ident. Number: A73-02162  
Date Received: 11/15/1989  
Receipt No: 11005285  
Received By: JDC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W. WUNSCH 208-879-4732  
Address: P.O. BOX 406  
CHALLIS, ID 83226

AND/OR

Name: SHIRLEY M. WUNSCH 208-879-4732  
Address: P.O. BOX 406  
CHALLIS, ID 83226

2. Date of Priority: AUG 31, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 13N      | 23E   | 29      | NE     | SE     | NE  |     | CUSTER |

5. Description of diverting works:  
#2 WELL 35 HP MOTOR WITH OPEN DISCHARGE AND FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.490  |      |        |

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

8. Total consumptive use is 692.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 13N      | 23E   | 20      | SW  |    | NE  |     | IRR | 24.0  |
|          |       |         | SE  |    | NE  |     | IRR | 2.0   |
|          |       |         | SW  |    | NW  |     | IRR | 38.0  |
|          |       |         | SE  |    | NW  |     | IRR | 40.0  |
|          |       |         | NE  |    | SW  |     | IRR | 35.0  |
|          |       |         | NE  |    | SE  |     | IRR | 31.0  |
|          |       |         | NW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR | 28.0  |
|          |       |         | SE  |    | SE  |     | IRR | 39.0  |

Section Acres 277.0

Total Acres 277.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
NONE

14. Remarks:

AC. IRR. = 277.5

A73-02159 HAS BEEN USED FOR THE SAME PURPOSE.

15. Basis of Claim: LICENSE  
Water Right Number: 33152

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): Charles W. Wunsch Date: 1 Dec 89

Shirley M. Wunsch Date: 12-1-89

State of Idaho

County of Butte )  
 ) SS.

Subscribed and sworn (or affirmed) before me this 1 day

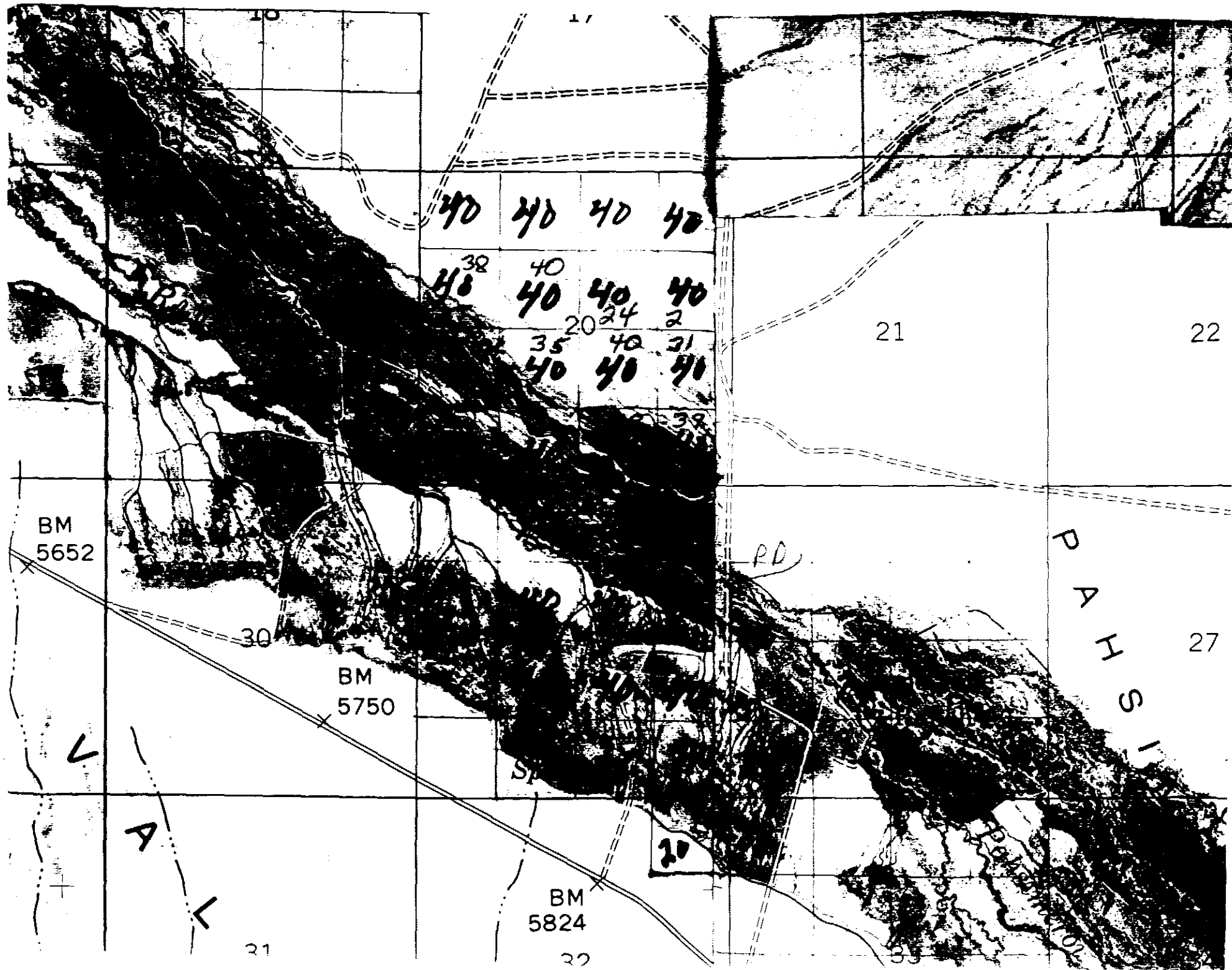
of Dec 19 89

John Del. Carter  
Notary Public

Seal

Residing at Boise ID

My Commission Expires 6/2/94





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

DECEMBER 27, 1995

DONALD L BARNES  
HC 62 BOX 2190  
MAY ID 83253

RE: CHANGE IN OWNERSHIP FOR A73-02159, -02162, -10022,  
-00174C, -04003, -10023, -04001, -10025, -10024, -00015A,  
-04004A, -00188B, -02147, AND -00150C

Dear Mr. Barnes:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notices of Claim

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# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: \_\_\_\_\_

See Attached sheet

☐ Name and Address of Former  
Owner/Claimant(s)(Seller): \_\_\_\_\_

Charles W. Wunsch

☐ New Owner/Claimant  
(Purchaser): \_\_\_\_\_

Donald L. Barnes or Debra L. Barnes

☐ New Mailing Address: \_\_\_\_\_

HC 62 Box 2190

May, ID 83253

☐ New Telephone Number: \_\_\_\_\_

(208) ~~544~~ - 4483  
876

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of  
ownership, describe  
proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New  
Owner/Claimant(s) \_\_\_\_\_

Date 7-1-95

Date \_\_\_\_\_

☐ Signature of Former  
Owner/Claimant(s): \_\_\_\_\_

Date \_\_\_\_\_

Date 6-29-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed: \_\_\_\_\_

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any: \_\_\_\_\_

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Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

Attachment for Don Barnes  
Change of ownership

A73-02159 ✓ 1 copy

-02162 ✓

-10022 ✓ - R -

-00174C ✓

-04003 ✓

-10023 ✓ - R -

-04001 ✓

-10025 ✓ - R -

-10024 ✓ - R -

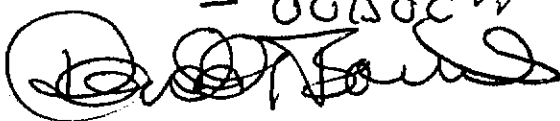
-00015A ✓

-04004A ✓

-00188B ✓

-02147 ✓

-00150C ✓



- R -

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NOV 15 1996

Page \_\_\_\_\_ of \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of applicant Charles and/or Shirley Wunch Phone 879-4732Post Office address PO Box 406 Challis Idaho 83226

## A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes The system is being changed to sprinkler irrigation. The existing points of diversion under 73-07113, 73-02159 and 73-02162 are being tied together in a common mainline. The acreage is not being enlarged or changed. 73-07113 is being amended.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority           | Amount (cfs/ac-ft) | Nature of Use     | Period of Use             |
|-----------------|--------------------|--------------------|-------------------|---------------------------|
| <u>73-02159</u> | <u>Aug 8 1966</u>  | <u>3.29</u>        | <u>Irrigation</u> | <u>4-1</u> to <u>11-1</u> |
| <u>73-02162</u> | <u>Aug 31 1966</u> | <u>2.49</u>        | <u>Irrigation</u> | <u>4-1</u> to <u>11-1</u> |
| _____           | _____              | _____              | _____             | _____ to _____            |
| _____           | _____              | _____              | _____             | _____ to _____            |
2. Total amount of water being transferred 5.78 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion: \_\_\_\_\_

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SE  | NE  | 29   | 13N  | 23E  | Custer |                          |
|     |     | NE  | NE  | 29   | 13N  | 23E  | Custer |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 5. Lands irrigated or place of use:

| Twp.                              | Rge. | Sec.      | NE 1/4    |           |           |           | NW 1/4    |        |           |           | SW 1/4    |        |           |           | SE 1/4    |           |           |           | Totals                     |
|-----------------------------------|------|-----------|-----------|-----------|-----------|-----------|-----------|--------|-----------|-----------|-----------|--------|-----------|-----------|-----------|-----------|-----------|-----------|----------------------------|
|                                   |      |           | NE 1/4    | NW 1/4    | SW 1/4    | SE 1/4    | NE 1/4    | NW 1/4 | SW 1/4    | SE 1/4    | NE 1/4    | NW 1/4 | SW 1/4    | SE 1/4    | NE 1/4    | NW 1/4    | SW 1/4    | SE 1/4    |                            |
| <u>73-02159</u><br><u>13N 23E</u> |      | <u>20</u> |           |           |           |           |           |        |           |           | <u>39</u> |        | <u>37</u> | <u>38</u> |           |           | <u>38</u> | <u>40</u> | <u>192</u>                 |
|                                   |      | <u>29</u> | <u>36</u> | <u>38</u> | <u>33</u> | <u>37</u> | <u>34</u> |        |           | <u>32</u> |           |        |           |           |           |           |           |           | <u>210</u>                 |
|                                   |      |           |           |           |           |           |           |        |           |           |           |        |           |           |           |           |           |           | <u>Total</u><br><u>402</u> |
| <u>73-02162</u><br><u>13N 23E</u> |      | <u>29</u> |           |           | <u>24</u> | <u>2</u>  |           |        | <u>38</u> | <u>40</u> | <u>35</u> |        |           |           | <u>31</u> | <u>40</u> | <u>28</u> | <u>39</u> | <u>Total</u><br><u>277</u> |
|                                   |      |           |           |           |           |           |           |        |           |           |           |        |           |           |           |           |           |           |                            |
|                                   |      |           |           |           |           |           |           |        |           |           |           |        |           |           |           |           |           |           |                            |
|                                   |      |           |           |           |           |           |           |        |           |           |           |        |           |           |           |           |           |           |                            |

Total acres \_\_\_\_\_

**PART 1****6. General Information:**

a. Description of diversion system wells, pumps, mainline, sprinkler

\_\_\_\_\_

\_\_\_\_\_

☒ Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The place of use is not being changed

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

d. Remarks:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
 in case of \_\_\_\_\_ vs. \_\_\_\_\_  
 dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 73-02162 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority August 31 1966

5. Water is used for the following purpose:

amount 2.49 for Irrigation purposes from 1 April to November 1  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

6. Total amount of water under right 2.49 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4       | 1/4       | Sec.      | Twp.       | Rge.       | County        | Local name for diversion |
|-----|-----|-----------|-----------|-----------|------------|------------|---------------|--------------------------|
|     |     | <u>NE</u> | <u>NE</u> | <u>29</u> | <u>13N</u> | <u>23E</u> | <u>Custer</u> |                          |
|     |     |           |           |           |            |            |               |                          |
|     |     |           |           |           |            |            |               |                          |

8. Lands irrigated or place of use:

| Twp.       | Rge.       | Sec.      | NE 1/4 |        |           |          | NW 1/4 |        |           |           | SW 1/4    |        |        |        | SE 1/4    |           |           |           | Totals     |
|------------|------------|-----------|--------|--------|-----------|----------|--------|--------|-----------|-----------|-----------|--------|--------|--------|-----------|-----------|-----------|-----------|------------|
|            |            |           | NE 1/4 | NW 1/4 | SW 1/4    | SE 1/4   | NE 1/4 | NW 1/4 | SW 1/4    | SE 1/4    | NE 1/4    | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4    | NW 1/4    | SW 1/4    | SE 1/4    |            |
| <u>13N</u> | <u>23E</u> | <u>29</u> |        |        | <u>24</u> | <u>2</u> |        |        | <u>38</u> | <u>40</u> | <u>35</u> |        |        |        | <u>31</u> | <u>40</u> | <u>28</u> | <u>39</u> | <u>277</u> |
|            |            |           |        |        |           |          |        |        |           |           |           |        |        |        |           |           |           |           |            |
|            |            |           |        |        |           |          |        |        |           |           |           |        |        |        |           |           |           |           |            |
|            |            |           |        |        |           |          |        |        |           |           |           |        |        |        |           |           |           |           |            |
|            |            |           |        |        |           |          |        |        |           |           |           |        |        |        |           |           |           |           |            |

Total acres 277

9. Describe any other water rights used for the same purpose as described above 73-02159

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 73-02159 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority August 8 1966

5. Water is used for the following purpose:

amount 3.29 for Irrigation purposes from April 1 to November 1  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 3.29 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼         | ¼         | Sec.      | Twp.       | Rge.       | County        | Local name for diversion |
|-----|---|-----------|-----------|-----------|------------|------------|---------------|--------------------------|
|     |   | <u>SE</u> | <u>NE</u> | <u>29</u> | <u>13N</u> | <u>23E</u> | <u>Custer</u> |                          |
|     |   |           |           |           |            |            |               |                          |
|     |   |           |           |           |            |            |               |                          |

8. Lands irrigated or place of use:

| Twp.       | Rge.       | Sec.      | NE ¼      |           |           |           | NW ¼      |      |      |           | SW ¼      |      |           |           | SE ¼ |      |           |           | Totals     |
|------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|------|------|-----------|-----------|------|-----------|-----------|------|------|-----------|-----------|------------|
|            |            |           | NE ¼      | NW ¼      | SW ¼      | SE ¼      | NE ¼      | NW ¼ | SW ¼ | SE ¼      | NE ¼      | NW ¼ | SW ¼      | SE ¼      | NE ¼ | NW ¼ | SW ¼      | SE ¼      |            |
| <u>13N</u> | <u>23E</u> | <u>20</u> |           |           |           |           |           |      |      |           | <u>39</u> |      | <u>37</u> | <u>38</u> |      |      | <u>38</u> | <u>40</u> | <u>192</u> |
|            |            | <u>29</u> | <u>36</u> | <u>38</u> | <u>33</u> | <u>37</u> | <u>34</u> |      |      | <u>32</u> |           |      |           |           |      |      |           |           | <u>210</u> |
|            |            |           |           |           |           |           |           |      |      |           |           |      |           |           |      |      |           |           |            |
|            |            |           |           |           |           |           |           |      |      |           |           |      |           |           |      |      |           |           |            |
|            |            |           |           |           |           |           |           |      |      |           |           |      |           |           |      |      |           |           |            |
|            |            |           |           |           |           |           |           |      |      |           |           |      |           |           |      |      |           |           |            |

Total acres 402

9. Describe any other water rights used for the same purpose as described above 73-02162

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

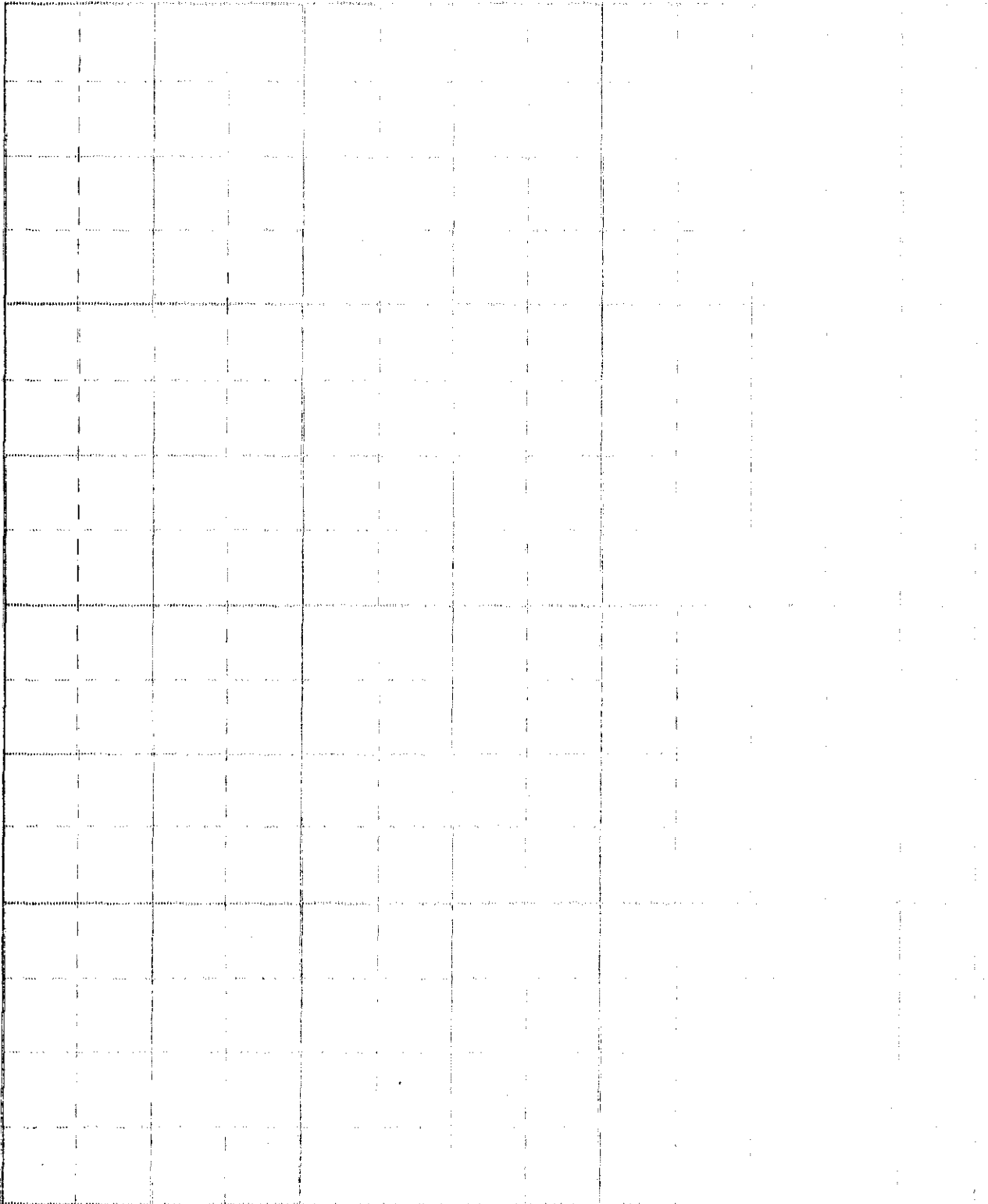
3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



**SCALE: 2 inches equal 1 mile. Draw plan in ink.**

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|-------------------------------|------------------------|----------------------|
|   | _____                    | _____                         | _____                  | _____ to _____       |
|   | _____                    | _____                         | _____                  | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

\_\_\_\_\_  
(Signature of Applicant)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee \_\_\_\_\_

Receipted by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 73-07113

Proposed Priority: May 3, 1990      Maximum Diversion Rate: 7.35 CFS  
This is to certify, that CHARLES WUNSCH  
SHIRLEY WUNSCH  
P.O. BOX 406  
CHALLIS, ID 83226  
has applied for a permit to appropriate water from: GROUNDWATER  
and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u>                     | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u>                                 |
|-------------------------------------------|----------------------|----------------------------------------------------------|
| IRRIGATION                                | 04/01 to 11/01       | 7.35 CFS                                                 |
| <u>LOCATION OF POINT(S) OF DIVERSION:</u> |                      | SWSWNE Sec. 20, Township 13N, Range 23E<br>CUSTER County |

| <u>PLACE OF USE:</u>             | <u>IRRIGATION</u> |            |              |              |              |              |
|----------------------------------|-------------------|------------|--------------|--------------|--------------|--------------|
| <u>TWN</u>                       | <u>RGE</u>        | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
| 13N                              | 23E               | 20         | NENE 40      | NWNE 40      | SWNE 40      |              |
|                                  |                   |            | SENE 40      | NENW 40      | NWNW 35      |              |
|                                  |                   |            | SWNW 28      | SENW 40      | NESW 28      |              |
|                                  |                   |            | NESE 40      | NWSE 40      | SWSE 5       |              |
|                                  |                   |            | SESE 12      |              |              | 428          |
| Total number of acres irrigated: |                   |            |              |              |              | 428          |

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1994.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

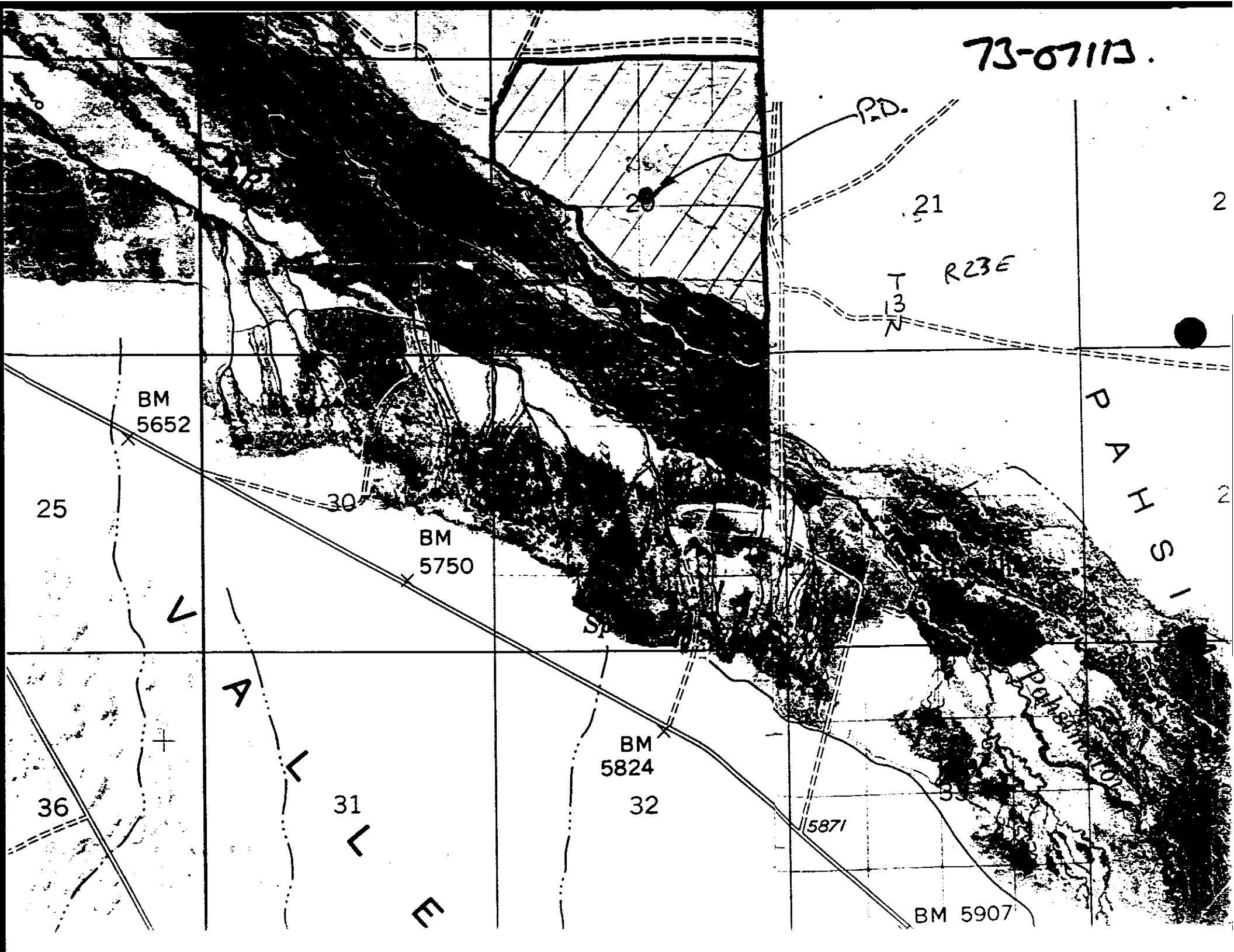
NO. 73-07113

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

20<sup>th</sup> day of February, 1991.

*R. Keith Higginson*  
for R. Keith Higginson, Director

73-07113.



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