

04/01/2004

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

RIGHT NUMBER: 23-93B
NAME AND ADDRESS: STEPHEN J MC GRATH
PO BOX 50731
IDAHO FALLS ID 83405-0731
SOURCE: RAINEY CREEK
QUANTITY: 1.000 CFS
157.500 AFY
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T01N R44E S8 SESWNW Within BONNEVILLE County
TWO POINTS OF DIVERSION LOCATED IN T1N, R44E, S8, NESWNW.
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS 157.50 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S08	SWNW	30.0	T01N R44E S08	SENW	15.0
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45 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 45.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00019D, 23-00020B,
23-00047D, 23-00093B.

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: Decreed

SEE TRANSFER #4851.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 23-00019D, 23-0020B, 23-00047D,
23-00093B.

11/06/2003

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

RIGHT NUMBER: 23-93B
NAME AND ADDRESS: STEPHEN J MC GRATH
PO BOX 50731
IDAHO FALLS ID 83405-0731

SOURCE: RAINEY CREEK
QUANTITY: 1.000 CFS
157.500 AFY

TRIBUTARY: SOUTH FORK SNAKE RIVER

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.80 CFS. COMBINED RIGHT NOS.:
23-00019D, 23-00020B, 23-00047D, 23-00093B~~

*1.000 CFS.
No limits of
Q*

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T01N R44E S8 SESWNW Within BONNEVILLE County
TWO POINTS OF DIVERSION LOCATED IN T1N, R44E, S8, NESWNW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
1.000 CFS
157.50 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County
T01N R44E S08 SWNW 30.0

T01N R44E S08 SENW 15.0

45 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 45.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00019D, 23-00020B,
23-00047D, 23-00093B.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON, BY
TRANSFER #4851.~~

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: Decreed

SEE TRANSFER #4851.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 23-00019D, 23-0020B, 23-00047D,
23-00093B.

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: **A23-00093B**
Date Received: 11/21/1996
Receipt No: X777777
Received By: _____

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

1. Name: STEPHEN J MCGRATH
Address: PO BOX 50731
IDAHO FALLS ID

208-524-0731

83405-0731

2. Date of Priority: JAN 22, 1916

3. Source: RAINEY CREEK

Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	8	SW	NW			BONNEVILLE

5. Description of diverting works:
HEADGATE/DITCHES TO FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		157.50

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 157.50 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	Lot	Use	Acres
01N	44E	8	SW	NW		IRR	30.0
			SE	NW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	45.0
					Total Acres	45.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-0019D, 23-0020B 23-0047D.

14. Remarks:

P/D NOT GIVEN IN DECREE.

P/U INCOMPLETE.

RIGHT CANNOT BE TRANSFERRED. SEE DECREE.

PAID ON RECEIPT E010798

ADDED ZIP 6-10-97; LETTER TO WENDY RE RAINEY CREEK RANCHES/JT
A lockable controlling works of a type approved by this
Department shall be maintained on the diverting works in a manner
that will provide the watermaster suitable control of the
diversion.

The total instantaneous diversion of water from all points of
diversion under Transfer No. 4851 shall not exceed 2.00 cfs,
nor total combined annual volume of 157.5 af.

Rights 23-00019D, 23-00020B, 23-00047D and 23-00093B when
combined shall not exceed a total diversion rate of 2.00 cfs, a
total annual diversion volume of 157.5, and the irrigation of
45.0 acres.

Two points of diversion are located within the SWNW, S08, T01N,
R44E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

PALISADE IRR. CO., ET AL.
Decree Plaintiff

LYNN CRANDALL.
vs Decree Defendant

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: **A23-00093B**
Date Received: 11/21/1996
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

208-524-0731

1. Name: STEPHEN J MCGRATH
Address: PO BOX 50731
IDAHO FALLS ID

83405

2. Date of Priority: JAN 22, 1916

3. Source: UPPER RAINEY CREEK
RAINEY CREEK

Trib. to: SNAKE RIVER, SOUTH FORK
SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	8	SW	NW			BONNEVILLE

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	10/31	1.000		

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

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	Lot	Use	Acres
01N	44E	8	SW	NW		IRR	30.0
			SE	NW		IRR	15.0

A2300093B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	45.0
					Total Acres	45.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-0019A, 23-0020, 23-0047A.

14. Remarks:
P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE.
RIGHT CANNOT BE TRANSFERRED. SEE DECREE.
SPLIT BY T4851
PAID ON RECEIPT E010798

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

PALISADE IRR. CO., ET AL.
Decree Plaintiff

LYNN CRANDALL.
vs Decree Defendant

02/20/2004

**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:

Water right number: 23-93B

STEPHEN J MC GRATH
PO BOX 50731
IDAHO FALLS ID 83405-0731
Telephone Number: (208)524-0731

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

The total combined diversion rate is less than the total of the component water rights resulting in a net loss of decreed water rights.

2. Describe the changes you wish to make in the proposed recommendation:
Increase total combined diversion rate to 1.0 cfs for Right Nos.:
23-00019D; 23-00020B; 23-00047D; and

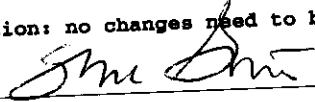
Increase total combined diversion rate to 2.0 cfs when above rights are used in conjunction with Right No. 23-00093B.

3. Give a brief explanation as to why you disagree with these portions:
Our water rights are decreed rights by previous Idaho court decrees. The proposed conditions result in a taking without compensation by the State of Idaho, which is prohibited by both the United States Constitution and the Constitution of the State of Idaho.

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

DATE: 3/24/04

SIGNATURE:



Stephen J. McGrath

Please print your name:

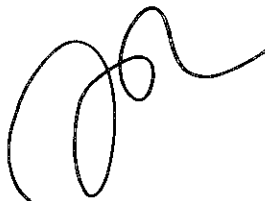
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

4/1/04 This is A Frano Rt. (1916) Removal Limiting
Removals of Q and etc.

RECEIVED

APR 01 2004

Department of Water Resources
Eastern Region



02/20/2004

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

RIGHT NUMBER: 23-93B
NAME AND ADDRESS: STEPHEN J MC GRATH
PO BOX 50731
IDAHO FALLS ID 83405-0731

SOURCE: RAINEY CREEK
TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.000 CFS
157.50 AFY
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.90 CFS. COMBINED RIGHT NOS.:
23-00019D, 23-00020B, 23-00047D, 23-00093B.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T01N R44E S8 SESWNW Within BONNEVILLE County
TWO POINTS OF DIVERSION LOCATED IN T1N, R44E, S8, NESWNW.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS 157.50 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T01N R44E S08 SWNW 30.0 T01N R44E S08 SENW 15.0

45 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 45.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00019D, 23-00020B,
23-00047D, 23-00093B.

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
SEE TRANSFER #4851.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 23-00019D, 23-0020B, 23-00047D,
23-00093B.

SD-0613-2 Source System: WR Prefix: Basin: 23
S Starting Water Right: 00093 Ending Water Right: 00093
E Water Name
L Right No. Last, First CFS

23-00093

RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 4851.

23-00093A MILLER, JOHN B 3.800

23-00093B MCGRATH, STEPHEN J 1.000

(Enter=Continue) (GOLD 6=Produce Report) (GOLD 7=This Query) (Menu _____)

MICROFILMED

NOV 24 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

This is to certify that: STEPHEN J MCGRATH
PO BOX 50731
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 23-00019D : IRRIGATION Priority: 04/15/1889	04/15 to 10/15	0.34 CFS	117.6 AF
Right No. 23-00020B : IRRIGATION Priority: 06/20/1889	04/15 to 10/15	0.34 CFS	123.4 AF
Right No. 23-00047D : IRRIGATION Priority: 05/15/1896	04/15 to 10/15	0.32 CFS	57.8 AF
Right No. 23-00093B : IRRIGATION Priority: 01/22/1916	04/15 to 10/15	1.00 CFS	157.5 AF
TOTAL:		* 2.00 CFS	* 157.5 AF

SOURCE

TRIBUTARY OF

RAINEY CREEK

SNAKE RIVER, SOUTH FORK

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 8, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	44E	8	SWNW	30	SENW	15
Total number of acres irrigated:						** 45

MICROFILMED

NOV 24 1998

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. A lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4851 shall not exceed 2.00 cfs, nor total combined annual volume of 157.5 af.
- ** 8. Right 23-00019D is limited to the irrigation of 33.6 acres in the place of use described above in a single irrigation season.
- ** 9. Right 23-00047D is limited to the irrigation of 16.5 acres in the place of use described above in a single irrigation season.
- ** 10. Rights 23-00019D and 23-00047D when combined shall not exceed a total annual diversion volume of 117.6 af and the irrigation of 33.6 acres.
11. Rights 23-00019D, 23-00020B, 23-00047D and 23-00093B when combined shall not exceed a total diversion rate of 2.00 cfs, a total annual diversion volume of 157.5, and the irrigation of 45.0 acres.
12. Two points of diversion are located within the SWNW, S08, T01N, R44E.

Dated this 16th day of November, 1998.


Chief, Water Allocation Bureau

MICROFILMED

NOV 24 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

This is to certify that: **STEPHEN J MCGRATH**
PO BOX 50731
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 23-00019D : IRRIGATION Priority: 04/15/1889	04/15 to 10/15	0.34 CFS	117.6 AF
Right No. 23-00020B : IRRIGATION Priority: 06/20/1889	04/15 to 10/15	0.34 CFS	123.4 AF
Right No. 23-00047D : IRRIGATION Priority: 05/15/1896	04/15 to 10/15	0.32 CFS	57.8 AF
Right No. 23-00093B : IRRIGATION Priority: 01/22/1916	04/15 to 10/15	1.00 CFS	157.5 AF
TOTAL:		* 1.00 CFS	* 157.5 AF

SOURCE

RAINEY CREEK

TRIBUTARY OF

SNAKE RIVER, SOUTH FORK

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 8, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	44E	8	SWNW 30.0	SENEW 15.0		45.0
Total number of acres irrigated:						** 45.0

SUPERSEDED
NOV 24 1998

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
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 the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. A lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4851 shall not exceed 1.00 cfs, nor total combined annual volume of 157.5 af.
- ** 9. Right 23-00019D is limited to the irrigation of 33.6 acres in the place of use described above in a single irrigation season.
- ** 10. Right 23-00047D is limited to the irrigation of 16.5 acres in the place of use described above in a single irrigation season.
- ** 11. Rights 23-00019D and 23-00047D when combined shall not exceed a total annual diversion volume of 117.6 af and the irrigation of 33.6 acres.
12. Rights 23-00019D, 23-00020B, 23-00047D and 23-00093B when combined shall not exceed a total diversion rate of 1.00 cfs, a total annual diversion volume of 157.5, and the irrigation of 45.0 acres.
13. Two points of diversion are located within the SWNW, S08, T01N, R44E.

Dated this 24th day of August, 1998.

SUPERSEDED
MICROFILMED
Chief, Water Allocation Bureau
Steven Saylor

NOV 24 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

This is to certify that: STEPHEN J MCGRATH
PO BOX 50731
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>	
Right No. 23-00019D : IRRIGATION Priority: 04/15/1889	04/15 to 10/15	0.34 CFS	117.6 AF	^C 1.26 CFS
Right No. 23-00020B : IRRIGATION Priority: 06/20/1889	04/15 to 10/15	0.34 CFS	123.4 AF	^A 1.26 CFS
Right No. 23-00047D : IRRIGATION Priority: 05/15/1896	04/15 to 10/15	0.32 CFS	57.8 AF	^C 1.23
Right No. 23-00093B : IRRIGATION Priority: 01/22/1916	04/15 to 10/15	1.00 CFS	157.5 AF	^A 3.80
TOTAL:		* 2.00 CFS	* 157.5 AF	

SOURCE

TRIBUTARY OF

RAINEY CREEK

SNAKE RIVER, SOUTH FORK

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 8, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	44E	8	SWNW 30	SENW 15		45
Total number of acres irrigated:						** 45

TRANSFER NO. 4851
WATER RIGHT NO(S). 23-00019D/23-00020B/23-00047D/23-00093B

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. A lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4851 shall not exceed 2.00 cfs, nor total combined annual volume of 157.5 af.
- ** 8. Right 23-00019D is limited to the irrigation of 33.6 acres in the place of use described above in a single irrigation season.
- ** 9. Right 23-00047D is limited to the irrigation of 16.5 acres in the place of use described above in a single irrigation season.
- ** 10. Rights 23-00019D and 23-00047D when combined shall not exceed a total annual diversion volume of 117.6 af and the irrigation of 33.6 acres.
11. Rights 23-00019D, 23-00020B, 23-00047D and 23-00093B when combined shall not exceed a total diversion rate of 2.00 cfs, a total annual diversion volume of 157.5, and the irrigation of 45.0 acres.
12. Two points of diversion are located within the SWNW, S08, T01N, R44E.

Dated this 16th day of

November, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 23-00019A/00020/00047B/00093

FROM: PAM SKAGGS²/STATE OFFICE

SUBJECT: TRANSFER 4851

DATE: March 17, 1998

=====

Transfer 4851 changes the point of diversion under a portion of Rights 23-00019A (C & D), 23-00020 (A & B), 23-00047B (C & D), and 23-00093 (A & B), splitting each right.

Review of the recorded rights show that the transfer also represents a change in place of use to the historically irrigated land. The place of use has been modified over the years through unrecorded transfer to include the 45 acres under the proposed place of use. No physical change occurs.

The applicant is the new owner of this portion of the ranch and wants to add two separate points of diversion; a diversion ditch to serve the west side of the property and a pump to serve the east side of the property. The creek bisects the property in a north south direction.

Recommended conditions include watermaster control, measuring devices and lockable controlling works, irrigation overlap, multiple points of diversion, combined right conditions, and standard transfer conditions.



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

NOVEMBER 22, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STEPHEN J MC GRATH
PO BOX 50731
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A23-00019A, -00020,
-00093, AND 00047B

Dear Mr. Mc Grath:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A23-00019C, HANSEN, 170 ACRES, 1.27 CFS
A23-00019D, MC GRATH, 45 ACRES, .33 CFS

A23-00020A, HANSEN, 170 ACRES, 1.27 CFS
A23-00020B, MC GRATH, 45 ACRES, .33 CFS

A23-00093A, HANSEN, 170 ACRES, 3.80 CFS
A23-00093B, MC GRATH, 45 ACRES, 1.00 CFS

A23-00047C, HANSEN, 170 ACRES, 1.23 CFS
A23-00047D, MC GRATH, 45 ACRES, .32 CFS

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: QUE HANSEN/copy letter/copy claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DC
11-22-96

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: A23-000194, A23-00020, A23-00093, A23-000478
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Quay S. Hansen
28720 Roadside Dr. #399
Agoura Hills, CA
- ☐ New Owner/Claimant (Purchaser): Stephen J. McGrath
- ☐ New Mailing Address: P.O. Box 50731
ID Falls, ID 83405
- ☐ New Telephone Number: (208) 524-0731
- ☐ 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:
TIN RIVER, S 1/2 NW 1/4 Sect 8 For 45 irrig acres + prorated share of
each claim in cfs.

- ☐ 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) [Signature] Date 6/3/96
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(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:

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

Log for claim 23-00093B

Spatial Dynamics BTD

5/31/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	8	SWNW	30	33	
01n44e	8	SENW	15	14	
Totals:			45	47	

See 23-19D FOR NOTES AND FE DATA.



State of Idaho

Department of Water Resources

Eastern Region



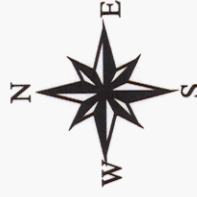
Water Right(s):

23-00019D,
23-00020B,
23-00047D,
23-00093B

Place of Use: (parts of)

T1N, R44E Sec. 8
SWNW, SENW

Point(s) of Diversion: T1N, R44E
Sec. 8 NESWNW (2 pts.)



LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2003

Water Right Claim Number 23-00093B
Township , 1N44E

05/31/2001

