



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 7, 2008

NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: Transfer #73977 for water right(s) 22-13279, 22-13281 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Ashcraft:

On December 19, 2007, the Idaho Department of Water Resources (IDWR) approved Transfer #73977, modifying the above referenced water right. Based on this transfer, 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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

cc: Helen Ashcraft
Linden Fielding

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: 22-13279

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 73977

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☒ change in ownership (ASHCRAFT –
ASHCRAFT)

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: 1 March 2008

Ernst Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 7, 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:
HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

BOYD B ASHCRAFT SHELTER TRUST
LINDEN FIELDING TRUSTEE
1195 E 1100 N
SHELLEY ID 83274

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

4. One copy to:

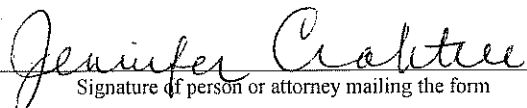
Each party in the subcase, or attorney of record
N/A

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


Signature of person or attorney mailing the form

01/17/2008

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

RIGHT NUMBER: 22-13279

NAME AND ADDRESS: NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
273.00 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.

The rights listed below are limited to a total combined annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 08/12/1965

POINT OF
DIVERSION:

T06N R41E S16 SWNWSW Within MADISON County
T06N R41E S21 SENENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.620 CFS 273.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S16	NESW	35.00	T06N R41E S16	NWSW	39.00
T06N R41E S16	SWSW	39.00	T06N R41E S16	SESW	34.00
T06N R41E S16	NESE	39.00	T06N R41E S16	NWSE	39.00
T06N R41E S16	SWSE	38.00	T06N R41E S16	SESE	38.00
T06N R41E S17	NESE	19.00	T06N R41E S17	NWSE	11.00
T06N R41E S17	SWSE	8.70	T06N R41E S17	SESE	39.00
T06N R41E S21	NENE	39.00	T06N R41E S21	NWNE	2.70

420.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

This right is limited to the irrigation of 78 acres within the place of use described above 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 - License

The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

Failure of the right holder to comply with the conditions of Transfer 73977 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 73977 prior to December 19, 2008.

This right is a split from former right 22-2256C.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

This is to certify that: BHA INC And
 NATHAN ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448
 (208)356-3533

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. A summary of the changes is also listed below. 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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-4052	AJC/Statutory Claim	09/01/1961	0.97 cfs	280 af	80.0	420.4	GROUND WATER
22-13279	AJC/License	08/12/1965	0.62 cfs	273 af	78.0	420.4	GROUND WATER
22-2168	AJC/License	04/07/1958	3.64 cfs	819 af	234.0	420.4	GROUND WATER
22-13281	AJC/License	04/04/1968	0.76 cfs	133 af	38.0	420.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-4052	NO	NO	YES	NO	NO	NO
22-13279	NO	NO	YES	NO	NO	NO
22-2168	NO	NO	YES	NO	NO	NO
22-13281	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-4052	22-4052	0.97 cfs	280 af	80.0	420.4		N/A	N/A	N/A	N/A
22-13279	22-13279	0.62 cfs	273 af	78.0	420.4		N/A	N/A	N/A	N/A
22-2168	22-2168	3.64 cfs	819 af	234.0	420.4		N/A	N/A	N/A	N/A
22-13281	22-13281	0.76 cfs	133 af	38.0	420.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		5.99 cfs	1471.4 af	420.4	420.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # **22-2168**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

Detailed Water Right Description(s) attached

Dated this 19th day of December, 20 07



Chief, Water Allocation Bureau

**WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977**

In accordance with the approval of Transfer No. 73977, Water Right No. 22-13279 is now described as follows.

Right Holder: NATHAN ASHCRAFT And/Or
JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

Priority Date: August 12, 1965

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	0.62 CFS	273.0 AF
			0.62 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 16 Twp 06N	Rge 41E	MADISON County
GROUND WATER	SENESE	Sec. 21 Twp 06N	Rge 41E	MADISON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	41E	16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N	41E	17													19.0	11.0	8.7	39.0	77.7
06N	41E	21	39.0	2.7															41.7

Total Acres: 420.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
2. Rights 22-2168, 22-4052, 22-13279, and 22-13281 when combined shall not exceed a total diversion rate of 5.99 cfs, a total annual maximum diversion volume of 1471.4 af at the field headgate, and the irrigation of 420.4 acres.
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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

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 19th day of December, 20 07



Chief, Water Allocation Bureau