

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 37-21258
Date Received: 2/9/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTIE A HAUGH Phone: (208)788-4703
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

2. Date of Priority: 05/01/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	29	SW NW SW	BLAINE	

5. Description of diverting works:

DIVERSION DAM, COMSTOCK HEADGATE #10, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	6	NW	NE	IRRIGATION	1.6
			SW	NE	IRRIGATION	0.9
					Section Acres	2.5
					Total Acres	2.5

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-48C.

THIS CLAIM WAS PART OF DECREED RIGHT 37-00048

** 12/16/99, CHANGED OWNERSHIP: BLOOMFIELD TO HAUGH AS PER FORM 1409 AND DEED RECD 8/19/99. C.T.

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAY 07 2001
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page
 Incomplete forms will be returned.

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-00048C, A37-008330, A37-12077

2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Christie Anne Haugh
 Owner/Claimants 95 Townsend Gulch Road, Bellevue, ID 83313

4. New Owner/Claimant(s) Cynthia Cramer Jesinger
 Name connector (check one): [☐] AND, [☐] OR, [☐] AND/OR

 New Mailing Address PO Box 111

 City, State and ZIP Code Sun Valley, ID 83353

 New Telephone Number (208) 622-4349

5. Date you acquired the property October 29, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres actually irrigated 1.68 acres Number and type of stock _____
A37-00048C - 0.08 cfs; A37-008330 - 0.08cfs; A37-12077 - 0.08 cfs
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim please contact the nearest IDWR office for assistance.

7. Signature of New Cynthia Cramer Jesinger Date 2/6/01
 Owner/Claimant(s) CYNTHIA CRAMER JESINGER

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

SVTC Order No. 99-15516

432944
SUN VALLEY TITLE

WARRANTY DEED

FOR VALUE RECEIVED

CHRISTIE ANNE HAUGH, an unmarried woman

the grantor, does hereby grant, bargain, sell and convey unto

CYNTHIA CRAMER JESINGER, a married woman as her sole and separate property subject to the community interest of her spouse.

the grantee, whose current address is PO Box 111
Sun Valley, ID 83353-0111

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 1, GIMLET CORNER being a lot line shift between Lot 19, ASPEN HOLLOW SUBDIVISION and Tax Lot 7077, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded October 20, 1999, as Instrument No. 432603, records of Blaine County, Idaho.

Together with IDWR Permit No. 37-08830

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

This property is being conveyed subject to the following restrictions:

All trees to the west of Gimlet Corner Subdivision, Lot 1 to Highway 75 and on the west side of the stream are to remain standing. This restriction shall be binding to all heirs, successors and assigns forever unless otherwise released of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1999

Christie Anne Haugh by James W. Phillips
Christie Anne Haugh
By: James W. Phillips, her Attorney in FactState of Idaho
County of BlaineOn this 29th day of October, 1999, before me a Notary Public in and for said State, personally appeared James W. Phillips known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Christie Anne Haugh, and acknowledged to me that he subscribed the name of Christie Anne Haugh, thereto as principal, and his own name as attorney in fact.*James W. Phillips*
Notary Public
Residing at Hailey
Comm. Expires 3-22-2005

P. 02/03

FAX NO. 997267495

DEC-14-99 TUE 11:54 AM SVT DEBRA

GIMLET CORNER: LOT 1 & ASPEN HOLLOW SUB.: LOT 19A

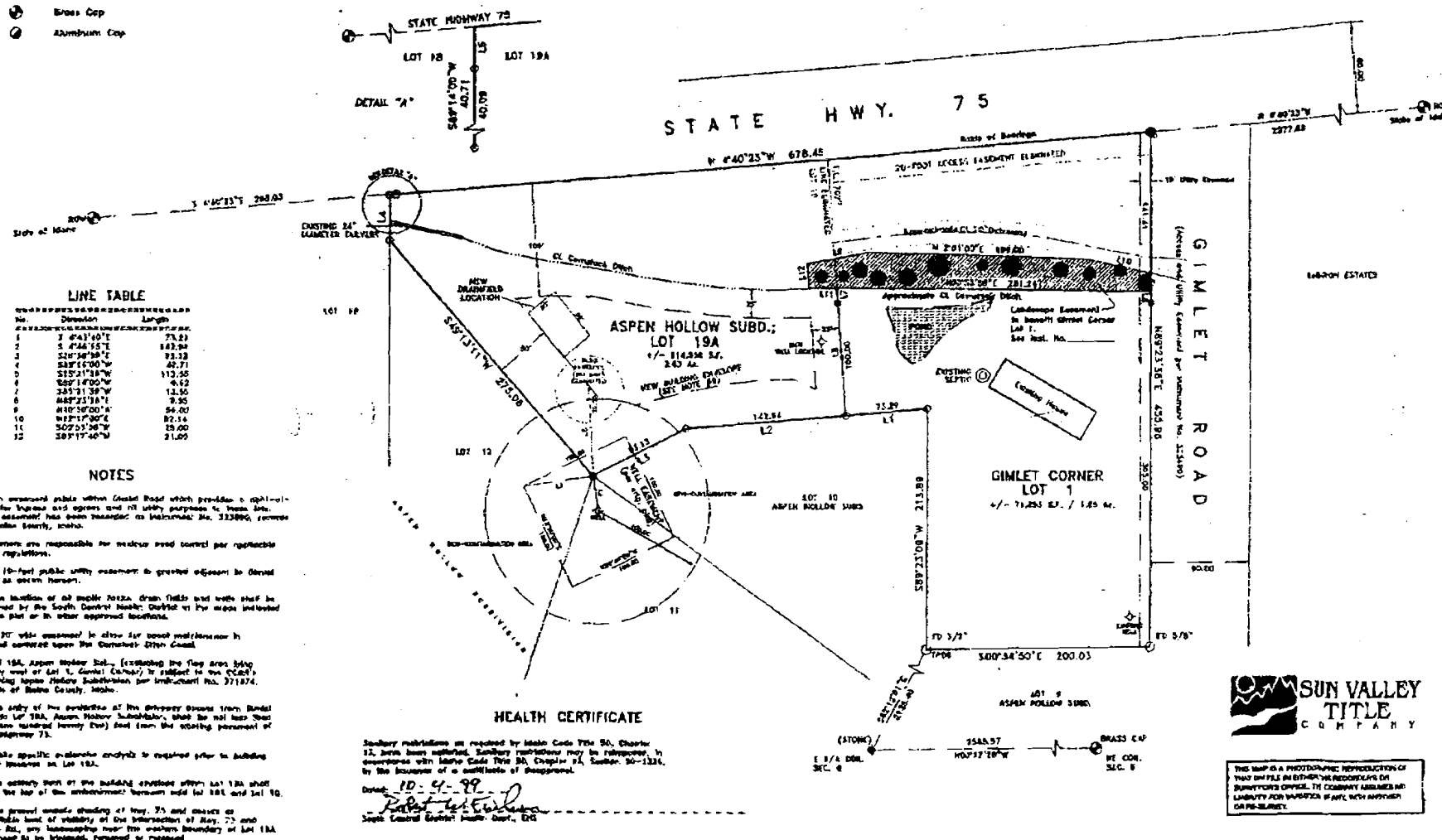
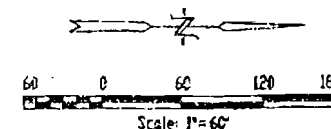
Within: SEC. 6, T3N, R18E, B.M.
BLAINE COUNTY IDAHO

OCTOBER 1999

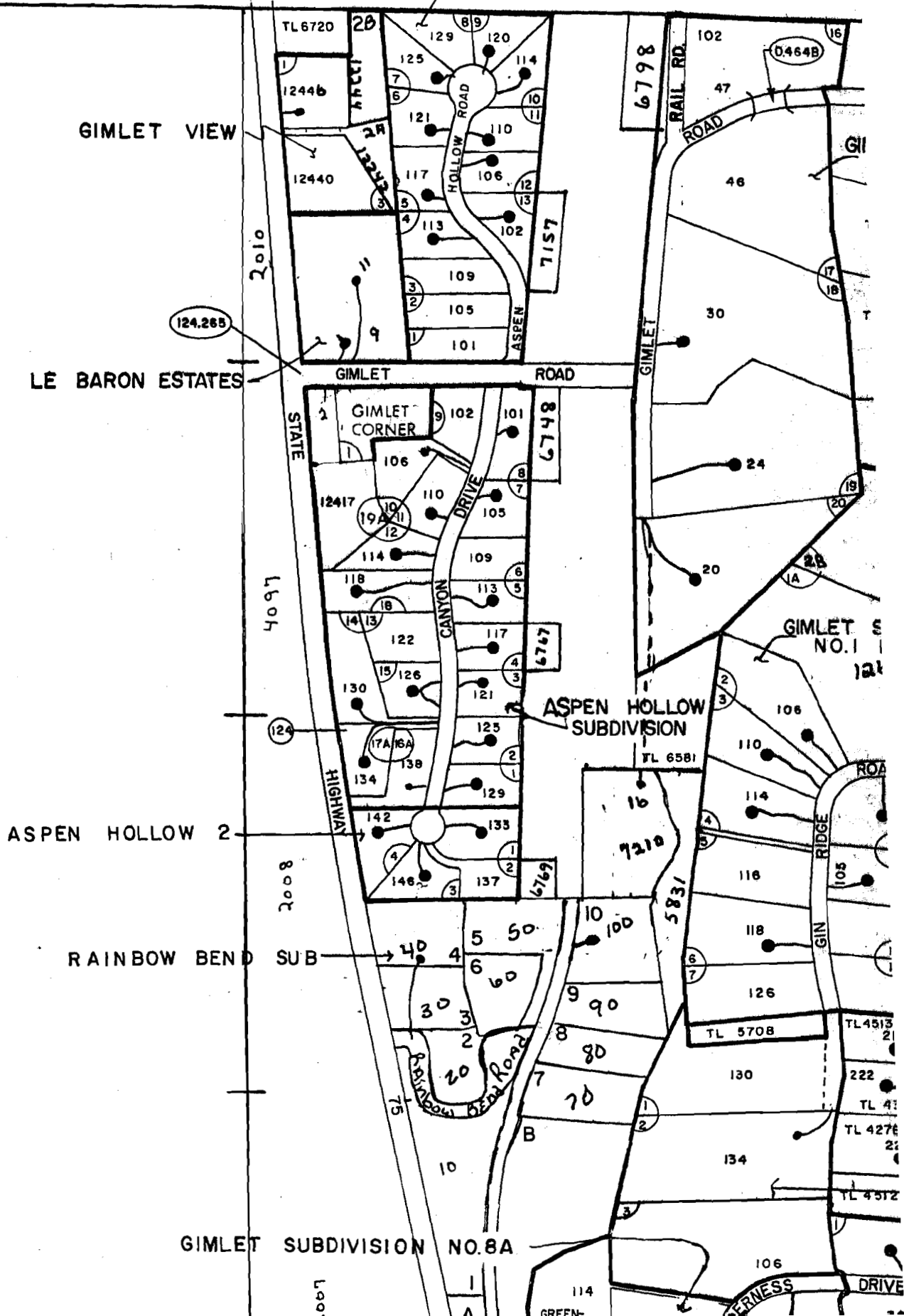
LEGEND

- Found 1/2" diam. rebar
- Set 1/2" x 24" rebar w/cap
- Found 5/8" diam. rebar
- Set 5/8" x 30" Rebar w/cap
- ⊙ Brass Cap
- ⊙ Aluminum Cap

A lot line shift between Lot 18, Aspen Hollow Subd., and
Tax Lot 7077, resulting in Aspen Hollow Subd.; Lot 19A and Gimlet Corner, Lot 1



ASPEN HOLLOW SUBDIVISION NO. 3



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: **A37-00048C**
Date Received: 11/ 4/1988
Receipt No: S003566
Received By: *Owner change*

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

1. Name: CHRISTIE A HAUGH
Address: 95 TOWNSEND GULCH RD
BELLEVUE ID

208-788-4703

83313

2. Date of Priority: MAY 1, 1887

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	29	SW	NW	SW		BLAINE

5. Description of diverting works:
DIVERSION DAM, COMSTOCK HEADGATE #10, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	6	NW	NE		IRR	1.6
			SW	NE		IRR	2.6

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.2
					Total Acres	4.2

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:
YES

14. Remarks:

THIS CLAIM WAS PART OF DECREED RIGHT 37-00048

12/16/99, CHANGED OWNERSHIP: BLOOMFIELD TO HAUGH AS PER FORM 1409
AND DEED REC'D 8/19/99. C.T.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
vs Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 19 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Snake River Basin

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s).: A37-0004830, A37-12077, A37008330
Adjudication Claim No(s).: - A37-12078
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant ROBERT BLOOMFIELD + MARGERAT
BOX 1133 BELLEVUE 83313
4. New Owner/Claimant(s) CHRISTIE A HAUGH
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 95 TOWNSEND GULCH RD
City, State and ZIP Code BELLEVUE IDAHO 83313
New Telephone Number (208) 7884703
5. Date you acquired the property MARCH 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 1.6 / 2.6 Number and type of stock Horses - 4
Diversion rate in CFS .200 EACH Number of homes 1 Other uses STOCK WATER
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Christie A. Haugh

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

o/r 12/16/99 CF

411601

WARRANTY DEED

BLAINE CO. REQUEST
OF: SUN VALLEY TITLE

98MM 5 AM 11 57

MARY GREEN, CLERK
FEES \$ 2.00

Robert A. Bloomfield and Margaret E. Bloomfield, Husband And Wife
the grantor, do hereby grant, bargain, sell and convey unto
Christie Anne Hargis, an unmarried woman
the grantee, whose current address is 126 Lower Broadway NE
Bellevue, ID 83713
the following described premises, in BLAINE COUNTY, IDAHO, to wit:

See attached Exhibit "A"

Together with any and all water rights appurtenant thereto.

SUBJECT TO TAXES, EASEMENTS, RESTRICTIONS, ENCUMBRANCES, RESERVATIONS, and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and her heirs and assigns forever. And the said Grantee do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises that said premises are free from all encumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 1, 1998

Robert A. Bloomfield
Robert A. Bloomfield

Margaret E. Bloomfield
Margaret E. Bloomfield

On this 1st day of March, 1998, before me a Notary Public in and for said State, personally appeared Robert A. Bloomfield known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Cassie Jones
Cassie Jones
Notary Public
Blaine County, Idaho

On this 1st day of March, 1998, before me a Notary Public in and for said State, personally appeared Robert A. Bloomfield known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Margaret E. Bloomfield and acknowledged to me that he subscribed the name of Margaret E. Bloomfield therein as principal, and his own name as attorney in fact.



Cassie Jones
Cassie Jones
Notary Public
Blaine County, Idaho

SVTC Order No. 98-14460

411600

WARRANTY DEED

FOR VALUE RECEIVED

Robert A. Bloomfield and Margaret E. Bloomfield, Husband And Wife

the grantors, do hereby grant, bargain, sell and convey unto

Christie Anne Haugh, an unmarried woman

the grantee, whose current address is 126 Lower Broadford Rd.
Bellevue, ID 83313

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 19 Block 2 of ASPEN HOLLOW SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded in Book 15 of Plats, page 6, records of Blaine County, Idaho.

Together with any and all water rights appurtenant thereto.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

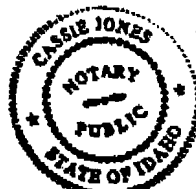
Dated: March 3, 1998

Robert A. Bloomfield

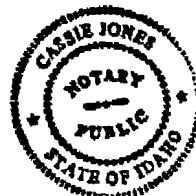
Margaret E. Bloomfield

By Robert A. Bloomfield, Attorney in Fact

State of Idaho, County of Blaine

On this 5th day of March, 1998, Before me a Notary Public in and for said State, personally appeared Robert A. Bloomfield known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.Cassie Jones
Notary Public
Residing at Hayden
Comm. Expires 9-7-2000

State of Idaho, County of Blaine

On this 5th day of March, 1998, Before me a Notary Public in and for said State, personally appeared Robert A. Bloomfield known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Margaret E. Bloomfield and acknowledged to me that he subscribed the same as Margaret E. Bloomfield thereto as principal, and his own name as attorney in fact.Cassie Jones
Notary Public
Residing at Hayden
Comm. Expires 9-7-2000

411600
Deed
BLAINE CO. REQUEST
SUN VALLEY TITLE
98 MAR 5 AM 11 56
HAYDEN TOWN CLERK
FEES \$3.00 YNPP

EXHIBIT "A"

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, STATE OF IDAHO.

SECTION 6: A parcel of land more particularly described as follows:

Commencing at the center North 1/16 corner of Section 6; thence
N. 89° 13' 39" E. 277.11 feet; thence
S. 4° 50' 36" E. 93.23 to the True Point of beginning; thence
N. 88° 59' 11" E. 456.02 feet; thence
S. 0° 48' 58" E. 200.06 feet; thence
S. 89° 09' 06" W. 214.12 feet; thence
S. 04° 51' 20" E. 73.01 feet; thence
S. 85° 02' 38" W. 227.00 feet; thence
N. 04° 54' 11" W. 288.99 feet to the True Point of Beginning.

Together with a non-exclusive Right-of-Way for ingress and egress, water, gas, electricity, and all utility purposes, with covenants, as disclosed in an Easement dated September 12, 1990, executed by and between WALTER R. WRIGHT, Grantor, and ROBERT BLOOMFIELD and PEGGY BLOOMFIELD, Grantees, recorded September 14, 1990, as Instrument No. 323690, records of Blaine County, Idaho.

ASPEN HOLLOW SUBDIVISION

BLAINE COUNTY,

SEC. 6, T3N, R18E, B.M.

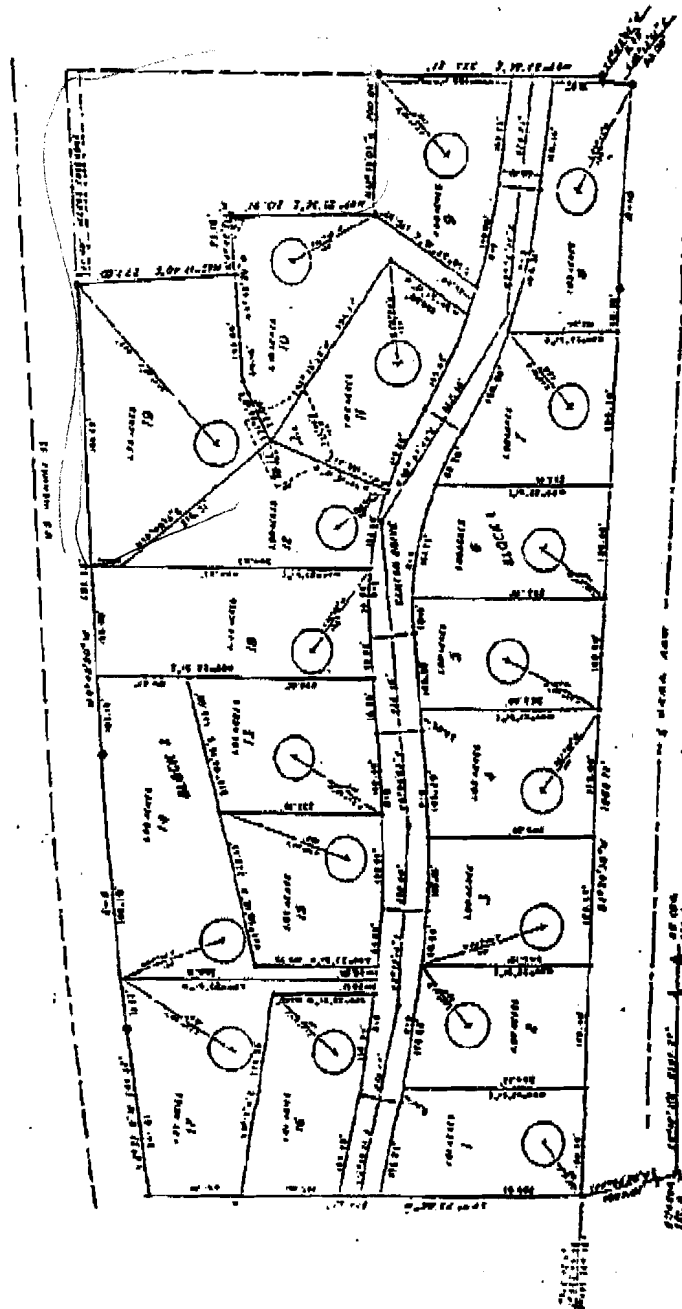
IDAHO

~~Surveyed by~~
~~Blaine County~~
~~Blaine County~~
~~Blaine County~~

While this map is a photographic reproduction of what is
filed in either the recorder's or surveyor's office, the
company assumes no liability for errors, if any, with
this type of reproduction.



SUN VALLEY TITLE CO.
P. O. DRAWER 2363
KETCHUM, IDAHO 83340
(208) 726-9341



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: A37-00048C

Date Received: 10/26/1988

Receipt No: 5003566

Received By: AD

RECEIVED

OCT 27 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Lands, Boise

Regional Office

1. Name: MARGARET E. BLOOMFIELD 208-726-5381
Address: BOX 746
KETCHUM, ID 83340

OR

Name: ROBERT A. BLOOMFIELD 208-726-5381
Address: BOX 746
KETCHUM, ID 83340

2. Date of Priority: MAY 01, 1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	29	SW	NW	SW		BLAINE

5. Description of diverting works:
DIVERSION DAM, COMSTOCK HEADGATE #10, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-00048C

Page 1

Date: 10/26/88

COPY
MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	6	NW	NE		IRR	1.6
			SW	NE		IRR	2.6
Section Acres							4.2
Total Acres							4.2

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:
YES

14. Remarks:
THIS CLAIM WAS PART OF DECREED RIGHT 37-00048

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., ET AL
Decree Defendant

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 X 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Carl A. Bloomfield
MS Bloomfield

Date:

10/26/88

Date:

10/26/88

State of Idaho)

) SS.

County of BLAINE)

Subscribed and sworn (or affirmed) before me this 26TH day

of OCTOBER 19 88

John S. [Signature]
Notary Public

Seal

Residing at Box 2098, HAILEY, ID 83333

My Commission Expires 9/23/94

RECORDED
FEB 22 1989

T4N
R18E
POD
SECTION 29
SW NW SW

T3N
R18E
SECTION 4
POU
NW NE 1.6
SW NE 2.6

4839

40'

4837

4836

4835

4834

T. 4 N.

T. 3 N.

43° 37' 30"
114° 22' 30"

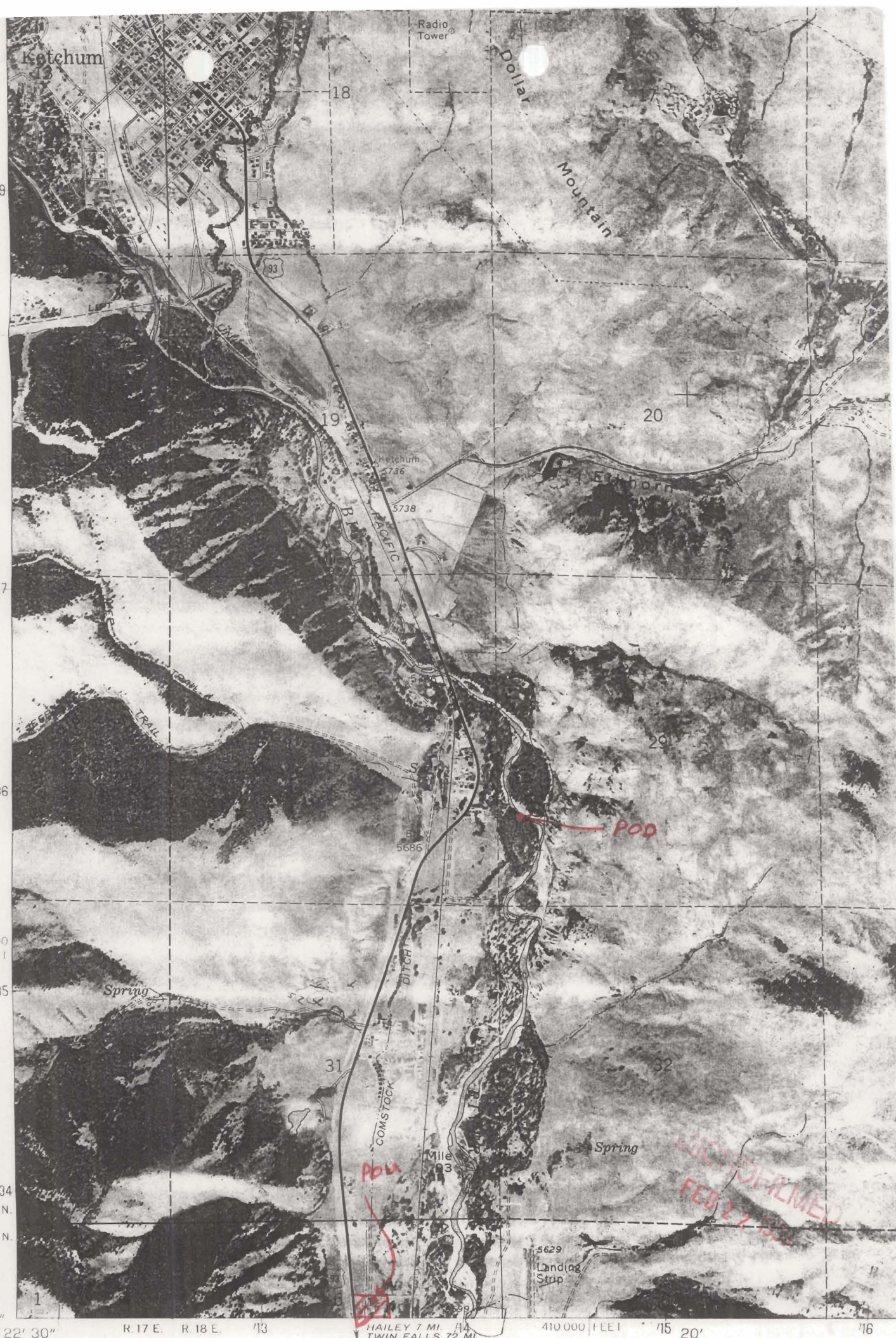
R. 17 E. R. 18 E. 13

HAILEY 7 MI. AA
TWIN FALLS 72 MI

410 000 FEET

15 20'

16



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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

37-21258

(Irrigation)

Legend

Place of Use



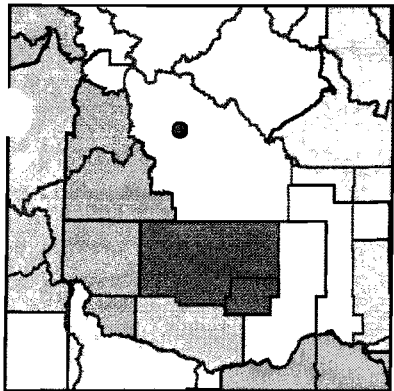
Townships



PLS Sections



Quarter Quarters



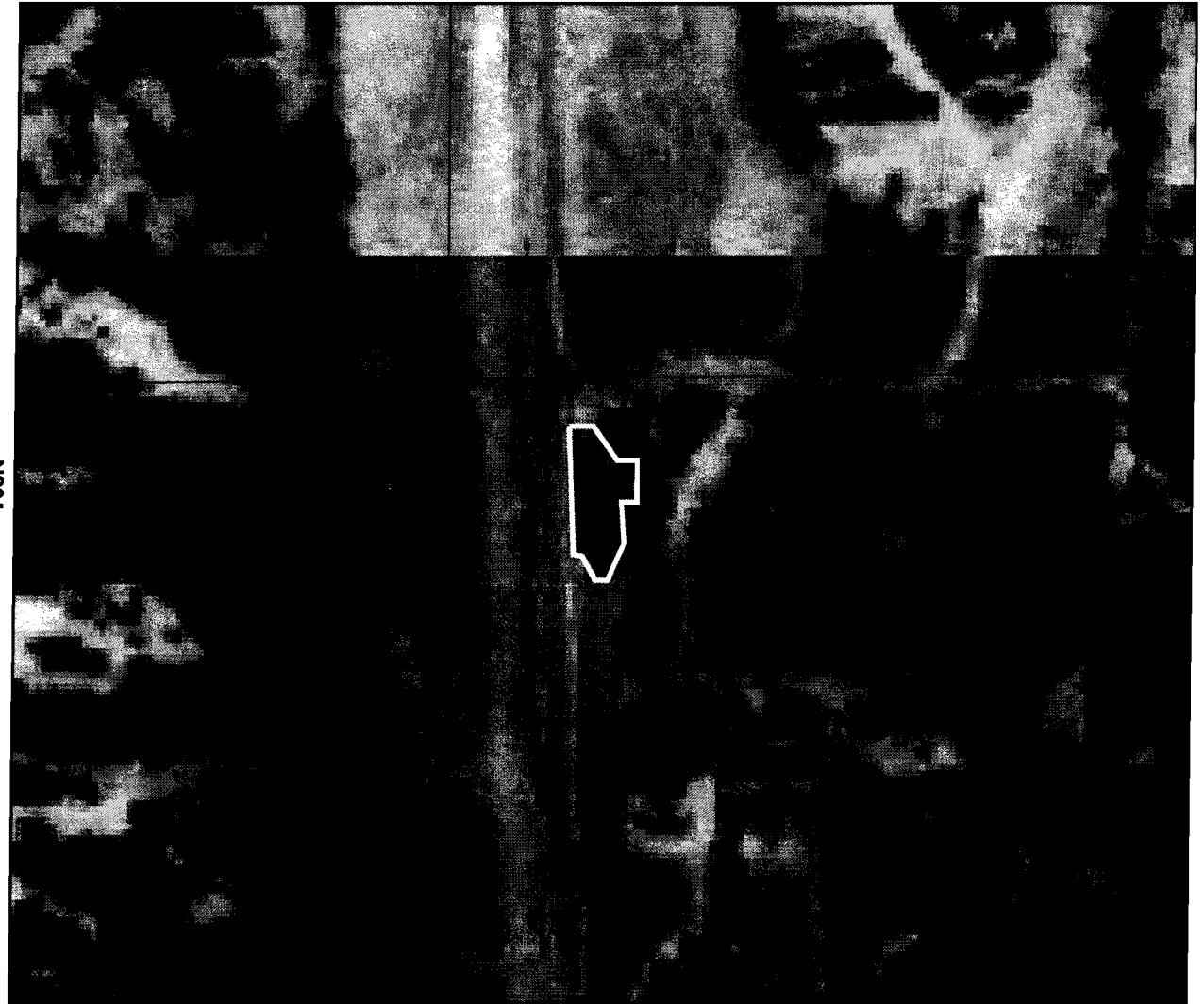
Blaine County
IDWR Basin 37



Prepared by S. Keen
On Wednesday, January 10, 2007
1987/88 Aerial Photography

R18E

T03N



0

0.1

0.2 Miles





Idaho Department of Water Resources

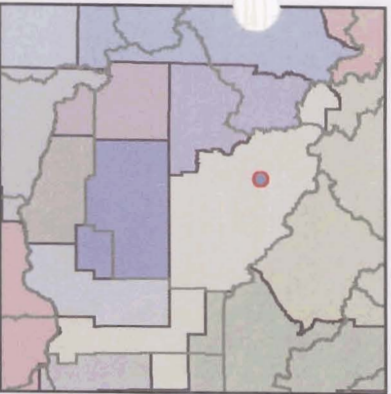
SRBA Recommendation:

37-21258

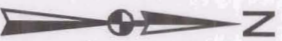
(Irrigation)

Legend

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

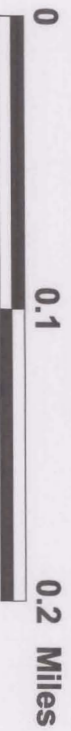
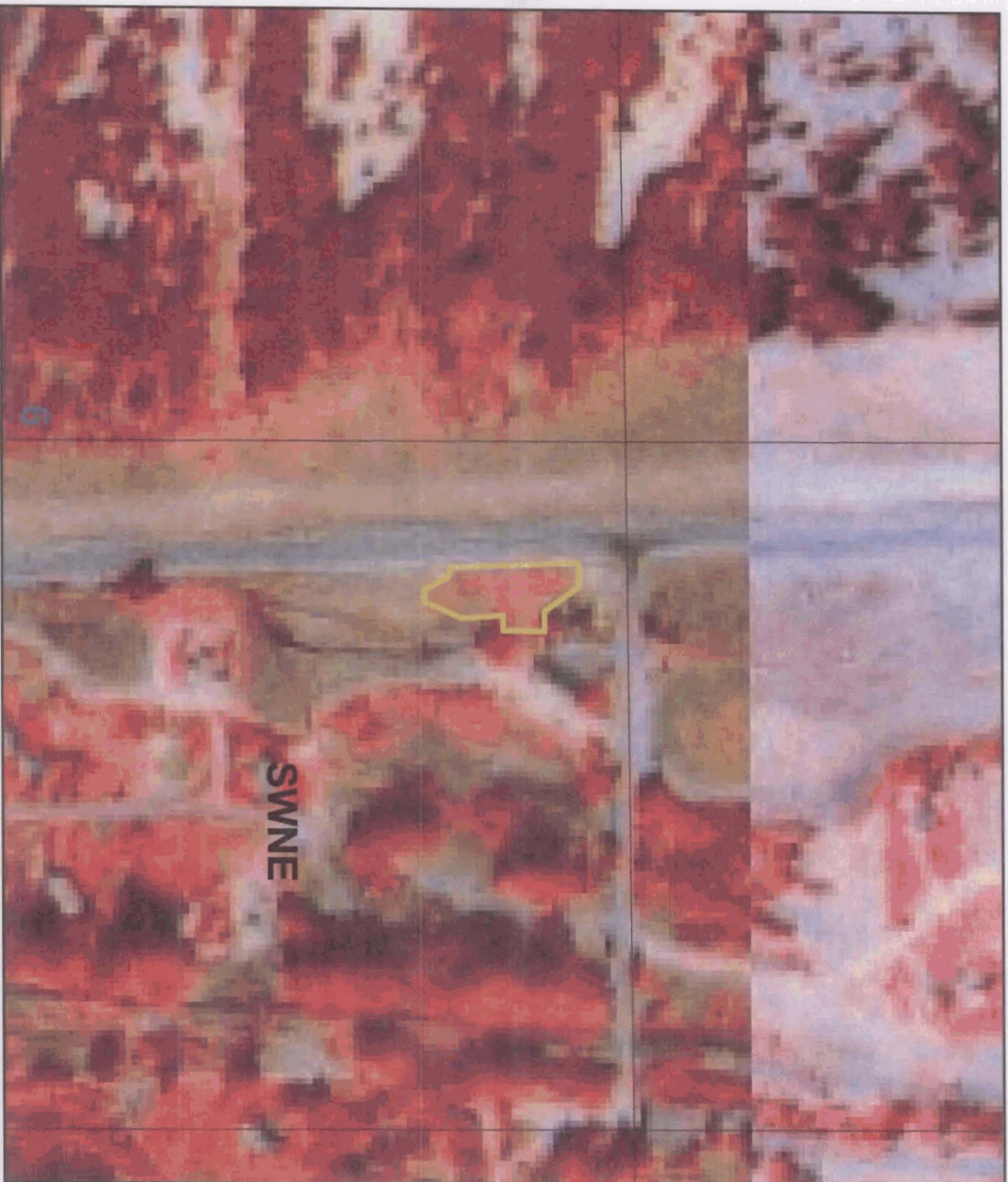


Blaine County
IDWR Basin 37



T03N

R18E



Prepared by S. Keen
On Wednesday, January 10, 2007
1987/88 Aerial Photography

Claim Review 37-21258

S. Keen
1/10/2007

Watermaster List

This appears to be a split portion of the 0.20 ac part of 37-48 listed in the name of Chris Hough.

Right 37-48 is not over-claimed

File contains a memo on Transfer #4420 involving this right. I can find no evidence that the transfer was filed. It is not in the water right file, and it does not appear on the old transfer no. conversion list.

Place of Use

Claims 37-21262

37-21260

37-21258

overlap.

The reviewer for 37-21260 recommended 2.5 acres. However, in 1994 IDWR reviewer Jim Stanton only 0.5 acres $\pm$ being irrigated. The 1987 NAPP photography support his conclusion. I digitized 0.8 acres. That's what I'll recommend.

Rate

0.12 cfs for 0.8 acres = 0.15 cfs/acre.

Even with conveyance loss equalling the application rate, and an application rate of 0.03 cfs/acre, the right should not exceed $0.048 \approx 0.05$ cfs.

POD

Apparently the POD was damaged and reconstructed in the SESENE, S. 30, T 4N, R 18E. ~~SESENE~~

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

August 20, 1999 4:33pm

CUSTOMER

CINDY JESINGER 37-08830,
~~A37-00048C~~, A37-12077

SUBJECT: QUESTIONS ON PROPERTY SHE MAY PURCHASE...
phone call (X) walk-in (.)

The property in question is currently part of a 4.2 acre parcel. She is interested in buying 1.65 acres and had questions on the associated water rights?? Sellers may want to convey only certain rights with her parcel...

37-08830

Is a Permit recently (June 1999) "assigned" to Christie Haugh for an aesthetic pond. Proof of Beneficial Use has been submitted and it is awaiting a field exam. Told her to have it "assigned" to her at closing (cost of \$25.00) if she buys because it does not automatically go with the property at this point...

A37-00048C (Wood River)

Is currently associated with the entire 4.2 acres. If not split between new parcels, will need a transfer (cost of \$100.00) to move it to one or the other...

A37-12077 (Clear Creek)

Is also for entire 4.2 acres and will require a transfer (\$100.00) to move to one or the other...

Suggested she call Watermaster (Lee Peterson @ 886-2451) to ask about delivery of the rights and if they appear to be valid as well as priority dates in the area....

FROM: Allen Merritt

DATE: November 1, 1994

TO: File #4420 in the name of Bloomfield

SUBJECT: Analysis

The transfer proposes to dry up 4.2 acres of land near the Gimlet Rd & Hwy 75 intersection. These lands are reported to be historically irrigated from waters diverted from the Big Wood River through the Comstock Ditch (A37-00048C & A37-008330) and water from Clear Creek (A37-12077) which is intercepted by the Comstock Ditch. The transfer proposes to develop irrigation of 4.2 acres from a well approx. 18 miles down gradient in the Big Wood drainage. The transfer indicates that if approved the water right from Clear Creek (A37-12077) will be abandoned.

Field review by Jim Stanton in May of 1994 finds that the present use of the water consists of irrigation of 0.5 acres. A review of the 9/14/1988 NAPP photo X24 SW is consistent with Jim's findings. Based on these findings it would appear that if more than 0.5 acres is allowed to be developed under the transfer it would expand the historical use of the water and impact existing rights.

Comments from Lee Peterson (watermaster of District 37) indicate that transferring the right downstream should stand a percentage loss to the river for conveyance. Since he did not specify the percentage I phoned him this day. Lee indicated that he would estimate that 20% of the water would be lost in conveyance down the river 18 miles. He indicated that since the transfer proposes to move the water from the Big Wood River to groundwater he suggested that if he had to regulate the priority he would suggest that the irrigation portion of the use of the well be plumbed such that it can be valved or controlled separately from any domestic use.

Water Information Bulletin No. 28 documents the interconnection between the Big Wood River and the groundwater at the proposed place of use.

Based on the forgoing it is recommended that the transfer be approved subject to the following limitations:

- 1) The rights be limited to 0.5 acres irrigation exclusive of 0.5 acres which may be developed under a single domestic exemption. (If a single household is developed from the same well then a total of 1.0 acres can be irrigated.)
- 2) The total authorized diversion from the well for irrigation of the 0.5 acres shall be limited to 0.015 cfs if the land is sprinkler irrigated or to the rate that is determined to be reasonable for flood irrigation at the time of the SRBA review.
- 3) The rights in combination be limited to the rate under

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item 2) plus 0.08 cfs (20% of 0.40 cfs). The 0.08 shall be identified with conveyance loss in the river system. The remainder of the rights if any shall be abandoned.

- 4) Any right under claim A37-12077 is abandoned.
- 5) The irrigation use of the well is under control and regulation of the Watermaster of District 37.
- 6) Adequate means of control shall be provided at the well head to allow regulation of the irrigation use of 1/2 acre. (The land irrigated up to 1/2 is exempt under the domestic exemption as long as the total domestic use is less than 13,000 gallons/day)

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