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**CHALLIS
CREEK
RANCH**

RECEIVED

OCT 21 1999

Department of Water Resources
Sandra M. Bagler

October 19, 1999

Ms. Betty Horn, CMC
Certified City Clerk - Treasurer
P. O. Box 587
Challis, ID 83226

Dear Ms. Horn:

As we discussed when we met on Friday (October 15th), there was some confusion with the delivery of the City's water rights this past irrigation season and perhaps in the prior year(s). I was in Twin Falls yesterday and among other things, spent time at the Idaho Department of Water Resources. I met with Mr. Kelly Christensen and Mr. Allen Merritt specifically on the City's situation to be sure the explanation I am about to provide is as accurate as possible and would insure elimination of any future confusion with regard to these deliveries.

As we agreed on Friday, the City has four (4) water rights, 72-00047, 72-00110B, 72-00111B and 72-00123. As it stands at the present time, water rights 72-00047 and 72-00123 can be diverted only at Diversion No. A0003075 going to the municipal water ponds and water rights 72-00110B and 72-00111B can be diverted only at Diversion No. A0002509 for supply to, among others, the City Golf Course.

Since you indicated to me you thought it was the City's desire to divert any of these rights from either of these diversions, I inquired about that possibility. While the City can request from IDWR the necessary forms to file a request for changes in the present diversion provisions, I was informed by Mr. Merritt that the probability of this being approved was "at best questionable". Mr. Merritt advised 72-00047 and 72-00123 were established solely as municipal use rights and 72-00110B and 72-00111B are solely irrigation rights for such utilization at the golf course.

If the City would still like to pursue the possibility of having these rights changed, please contact IDWR accordingly for the necessary forms. If I can help in any further way, please let me know.

Sincerely,

J. R. Challis, Watermaster
Water District 72-B, Garden Creek

cc: Allen Merritt and Kelly Christensen, IDWR - Twin Falls

cc: Challis Recreation & Development

cc: Robert Andrews, Secretary/Treasurer, Water District 72-B, Garden Creek

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, October 15, 1999 2:56 PM
To: 'Jack Challis'
Cc: Robertson, Jean; Luke, Tim
Subject: RE: Challis Golf Course

-----Original Message-----

From: Jack Challis [mailto:ccrgo@cyberhighway.net]
Sent: Friday, October 15, 1999 12:00 PM
To: kchrste@idwr.state.id.us
Subject: Challis Golf Course

Kelly, thanks for your E-mail reply.

I am assuming the water rights to which you refer as that covered by the split you indicated are 72-00110A & B and 72-00111A & B. Since the golf course is supplied by Diversion No. A0002509 and the City of Challis by Diversion No. A0003075 is it not then necessary to show two possible points of diversion for 72-00110B & 72-00111B? City personnel advise in times of "short supply" the City's needs have preference over the golf course. If that is true, they have to be able to divert at A0003075 as well, right?

THE CITY RIGHTS 72-00110B AND 72-00111B ARE IRRIGATION RIGHTS FOR THE GOLF COURSE. THEY ARE NOT MUNICIPAL RIGHTS. IF THE CITY WISHES TO CHANGE THE NATURE OF USE FROM IRRIGATION TO MUNICIPAL AND THE PLACE OF USE FROM THE GOLF COURSE TO WITHIN THE CITY LIMITS THEY NEED TO FILE A TRANSFER.

Could 72-00123 also be directed to the golf course? My copies of 72-00110B and 72-00111B indicate the point of diversion to be the "Upper Bradbury Ditch" which is Diversion No. A0002509. 72-00123 shows the same "legal" but no mention of the "Upper Bradbury Ditch" so I assume it is indicating A0003075, right?

72-00123 IS FOR THE CEMETARY AND NO WHERE ELSE. IT HAS THE SAME POINT OF DIVERSION AS THE MUNICIPAL RIGHT 72-00047.

Your clarification would be appreciated.

Jack

Christensen, Kelly

From: Jack Challis [ccrgo@cyberhighway.net]
Sent: Sunday, October 17, 1999 9:44 PM
To: kchrste@idwr.state.id.us
Cc: Tim Luke; Robert E. Foster
Subject: City of Challis

Kelly, "the longer I'm on this horse the more it bucks!" Frankly, now I am really lost!

It should be safe to say we have established 72-00110B & 72-00111B are the "golf course" irrigation rights. Ms. Betty Horn, Certified City Clerk - Treasurer, tells me one of the main reasons the City agreed to accept ownership and responsibility for the golf course was the water rights they would in turn receive (72-00110B & 72-00111B) could be used either at the golf course (Diversion No. A0002509) OR at their municipal water supply diversion approximately 25 feet downstream (A0003075). Am I understanding you correctly that this is NOT correct and, as it stands, these two rights can only be diverted at A0002509?

Am I also understanding you correctly in that you are saying 72-00047 & 72-00123 MUST BOTH divert at A0002509, as well (the only way from either of these two diversions I know to get these flows to the Cemetery)? I can tell you this is NOT how this has been done in years (if ever) and, if it were, the City would not have a City water supply. A0003075 goes via pipeline directly to the Water Treatment Facility! A0002509 diverts to an open ditch which also carries/delivers (among others) the golf course rights and then goes on to and past the Cemetery. If I am understanding you correctly, as it stands, the City does not have any right(s) that serves the municipal Water Treatment System (from Diversion No. A0003075), right?

Kelly, I have to be in Twin Falls Monday. Though I know you may have other commitments and/or for some other reason not be available, I will plan to stop by anyway when I get to town. If possible we can thus have the opportunity to meet and discuss this and anything else necessary.

Jack

P.S. - We will probably be heading your way before you read this so I'll just hope you have some time available. I would estimate being there around 10:30 or 11:00 A.M.

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/10/98 12:33:57
Page 1

Water Right Number - R72-001108

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
CITY OF CHALLIS

1 - PO BOX 587
2 -
3 -
City- CHALLIS
Phone - 208-879-2386

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
CYPRUS THOMPSON CREEK MINING CO

1 - C/O BERT DOUGHTY
2 - PO BOX 62
3 -
City- CLAYTON
Phone - 208-838-2200

State- ID Zip- 83227

Priority Date - +
05/15/1878

Region - +
17 SOUTHERN

Stage - +
D - DECREED

Status - +

Source - +
GARDEN CREEK

Tributary - +
SALMON RIVER

Twn Rng Sec Tract Lot Rflg County
14N 19E 32 NW NW NW 45 72 (37) CUSTER

UPPER BRADBURY DITCH

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.620

Total Div. Rate - + Total Div. Volume - +
0.620

Total Consumptive Use - + KM Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	32	SW NE		16.0	01	IRRIGATION	(37) CUSTER
14N	19E	32	SE NW		20.0	01	IRRIGATION	(37) CUSTER
14N	19E	32	NW SE		18.0	01	IRRIGATION	(37) CUSTER

Total Acres: 54.0 655 160

- - - - - Diversions Means - ROCK DAM TO EARTH DITCH TO PLACE OF USE. PUMP TO IRRIGATED GND

- - - - - Non-Irrigation Use -

- - - - - Other Rights for Same Use - 72-001118

Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION

VERIFIED BY KSC
11-10-98

Water right number - R72-001108

Prefix Translation: RESEARCH

REMARKS
OF A COMBINED TOTAL OF 54 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-001108, AND 72-00111B.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 14N, R19E, SEC 32 NNNMM, ALSO KNOWN
AS THE UPPER BRADBURY DITCH. COMBINED RIGHT NOS.: 72-00048,
72-00051B, 72-00051L, 72-00051N, 72-00080A, 72-00110A, 72-00110B
72-00111A, 72-00111B AND 72-10257.

A7200110 Old Water Right Numbers

No Conditions of Approval found.

Decree Plaintiff - - - +

Decree Defendant - - - +
VANDERVOORT, ET. AL.Decree Date - +
05/19/1914

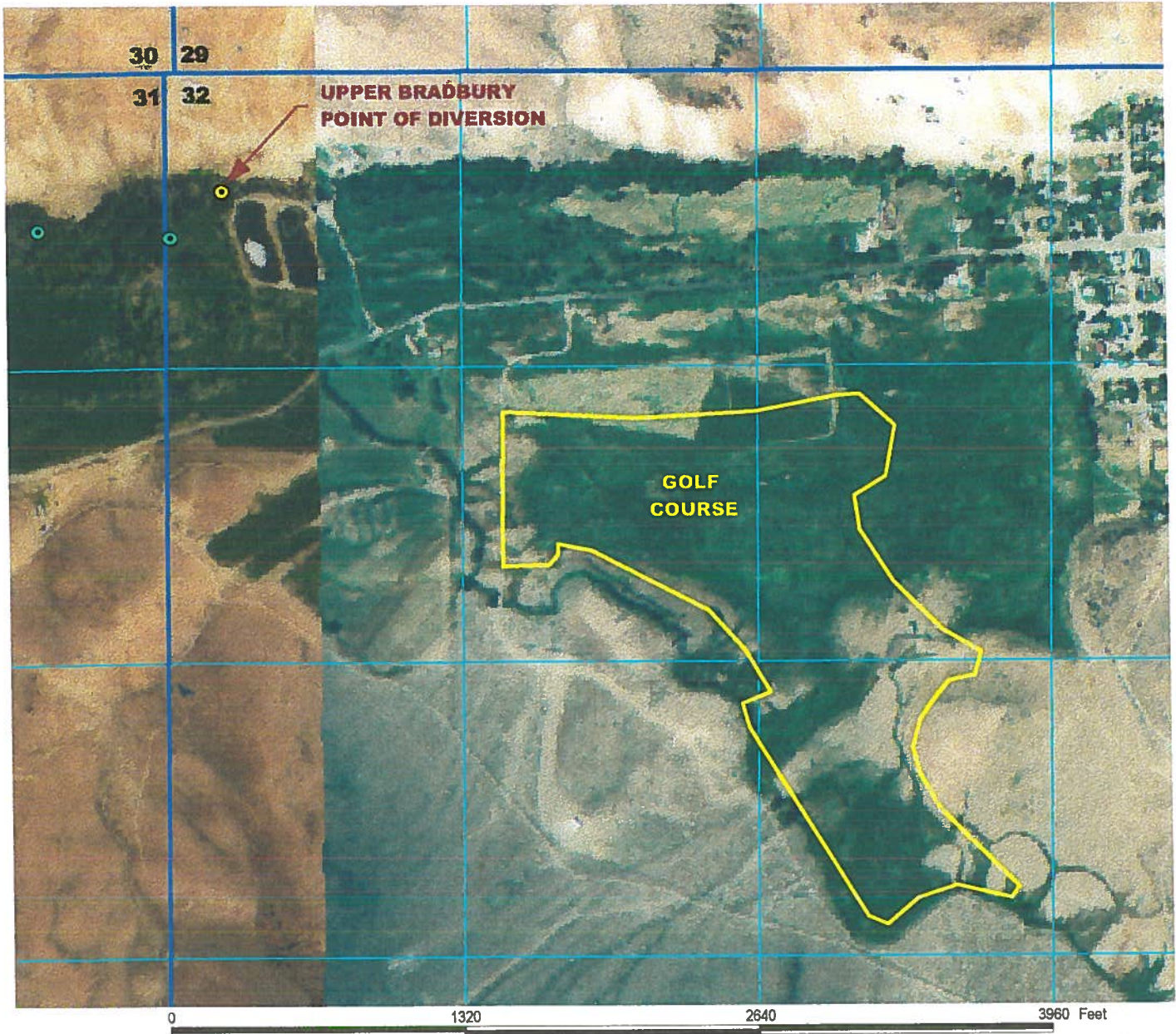
Date: 02/22/1996 User Id: KCHRISTE Subject: COPIED FROM REMARKS

ITEM 5
WATER IS CONTROLLED BY WHEEL VALVE AT DIVERSION POINT. WATER THEN FLOWS INTO EARTHEN DITCH SYSTEM AND EVENTUALLY FLOWS INTO 8"
STEEL BURIED PIPELINE WITH ENDPOINT BEING SPRINKLERS.
1409(7) AND ATTACHED WARRANTY DEED. KKC***
PURSUANT TO APPROVED TRANSFER 4740 DATED JANUARY 23 1996
total combined irrigation of 183.0 acres, nor a total combined
***** DATA ENTRY BY KKC 2-14-96 *****
***** CHANGE OF OWNERSHIP SPLITTING RIGHT DATA ENTERED 2-15-96 KKC

Audit Fields - - +
11/10/98 KCHRISTE

Adjudication Rights Dates and Flags Area	
Court Report Filing	00/00/0000
Objection Filed Date	00/00/0000
Response Filed Date	00/00/0000
Claim Received Date	01/12/1990
Field Inspection Made	07/26/1993
Verified Date	00/00/0000
Last Amended Date	00/00/0000
Receipt Number	X777777
POU Ownership Flag	- Y
Name Connector	-
Civil Case Number	39576
Old Case Number	
Old Judicial District	
Temporary Right	P
Water District	728
Federal/State Indicator	S
Presumption Flag	-
Notice of Error Flag	-

**72-00110B, & 72-00111B
GOLF COURSE
CITY OF CHALLIS**



**RECOMMENDED PLACE OF USE
TWP 14N RNG 19E, SEC 32
data entry on October 9, 1998**



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

**GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN**

LAIM NUMBER72-00110B 72-00111BDATE10-9-98TRANSFER NUMBER
AGENTKKCCLAIMED ACRE TOTAL54
GIS ACRE TOTAL54

			NE				NW				SW				SE					
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	32			16					20						18			54
GIS						16.4					19.9						17.8			
RECOM						16					20						18			54
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP
SHAPE NOS.
160

B72-DBPOD.SHP
NOS. DESCRIPTION
72 Sec 32 upper Bradburg Litch
NNNNNN

DBF TABLES UPDATED
B72-DBPOU.DBF
B72-DBPOD.DBF

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: A72-00110B
Date Received: 1/12/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CITY OF CHALLIS 208-879-2386
Address: PO BOX 587
CHALLIS ID 83226

2. Date of Priority: MAY 15, 1878

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	32		NW	NW		CUSTER

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.620		189.00

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

8. Total consumptive use is 189.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	32	SW	NE		IRR	16.0
			SE	NW		IRR	20.0
			NW	SE		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	54.0
					Total Acres	54.0

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:
72-00111B

14. Remarks:

ITEM 5
WATER IS DIVERTED WITH ROCK JETTY INTO METAL MEASURING FLUME.
FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION POINT. WATER THEN
FLOWS INTO EARTHEN DITCH SYSTEM AND EVENTUALLY FLOWS INTO 8"
STEEL BURIED PIPELINE WITH ENDPOINT BEING SPRINKLERS.
*** CHANGE OF OWNERSHIP ENTERED ON 8-4-95 BASED UPON SIGNED
1409(7) AND ATTACHED WARRANTY DEED. KKC***

PURSUANT TO APPROVED TRANSFER 4740 DATED JANUARY 23 1996
Combined Right Nos. 72-00110 and 72-00111 shall not exceed the
total combined irrigation of 183.0 acres, nor a total combined
annual diversion volume of 640.5 af.
***** DATA ENTRY BY KKC 2-14-96 *****
CHANGE OF OWNERSHIP SPLITTING RIGHT DATA ENTERED 2-15-96 KKC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs Decree Defendant

Challis Recreation &
Development Corporation

P.O. Box 81, Challis, Idaho 83226

FAX

Date: 02/14/96

Number of pages including cover sheet: 3

To:

Kelly Christensen
Department Of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Phone: 208-736-3033

Fax phone: 208-736-3037

CC:

From:

Spencer Strand

Phone: 208-879-5300

Fax phone: 208-879-5301

REMARKS:

☐ Urgent

☐ For your review

☐ Reply ASAP

☐ Please comment

Dear Kelly,

This is the information I think you need to complete the transaction. I sincerely thank you for all the help you have given me. I also enjoyed our many conversations.

Sincerely,



Spencer Strand

ORIGINAL
IN
A72-00110A

RECEIVED

FEB 14 1996

Department of Water Resources
Southern Region

DEC 03 1996

RECEIVED

FEB 14 1996

Form 42-1409(7)



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type

(see instructions on back of page)

DATE OF CLOSING: FEB 14, 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. ATTACHED
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: A72-00110 & A72-00111

[] Name and Address of Former Owner/Claimant(s)(Seller): Challis Recreation & Development Corporation
Box 81

[] New Owner/Claimant (Purchaser): Challis Idaho 83226
City of Challis

[] New Mailing Address: PO Box 587
Challis, Idaho 83226

[] New Telephone Number: (208) 879-2386

[] 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:
GOLF COURSE - A72-00110 (54 * 2.10) = 0.619 ~ 0.62 CFS
CITY OF CHALLIS - A72-00111 (54 * 0.86) = 0.253 ~ 0.25 CFS
TOTAL = 0.87 CFS on 43.5 - 44 in

[] 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) John E Walker (Mayor) Date 2-13-96

[] Signature of Former Owner/Claimant(s): Spencer D. Sted (Pres) Date 2-14-96

(Signature of former claimant(s) is 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
IN
A72-00110A

Original to be ma

DEC 03 1996

Department of Water Resources

PROPERTY DESCRIPTION

A parcel of land located in the SE1/4 of the NW1/4, SW1/4 of the NE1/4, NW1/4 of the SE1/4 and the NE1/4 of the SW1/4 of Section 32, T. 14 N., R. 19 E., B.M., Custer County, State of Idaho, more particularly described as follows:

Beginning at the West 1/16 Corner on the latitudinal centerline of said Section 32 (said point lying N89°08'15"E 1323.71 feet from the West 1/4 Corner of said Section 32), thence N00°08'15"E 1136.73 feet along the west 1/16 line of said Section 32 to the northwest corner of the Challis Golf Course, Parcel A, thence S87°27'14"E 190.14 feet along the northerly boundary line of said Parcel A, to the TRUE POINT OF BEGINNING for this description;

thence S 88°00'49"E 603.56 feet;
thence N 87°07'40"E 509.75 feet;
thence N 78°21'08"E 379.60 feet;
thence N 87°39'50"E 126.87 feet;
thence S 50°03'47"E 211.99 feet;
thence S 10°41'52"W 248.40 feet;
thence S 59°24'23"W 175.97 feet;
thence S 10°23'45"E 167.44 feet;
thence S 34°12'07"E 299.73 feet;
thence S 44°48'32"E 259.84 feet;
thence S 62°01'58"E 224.05 feet;
thence S 12°50'44"W 116.33 feet;
thence S 81°46'44"W 136.71 feet;
thence S 42°01'38"W 87.64 feet;
thence S 40°02'25"W 170.84 feet;
thence S 13°03'59"W 148.75 feet;
thence S 16°24'39"E 117.84 feet;
thence S 31°14'49"E 188.91 feet;
thence S 45°35'27"E 502.69 feet;
thence S 37°30'13"W 66.69 feet;
thence N 77°20'15"W 250.95 feet;
thence S 72°02'30"W 193.79 feet;
thence S 50°21'30"W 184.70 feet to the southerly corner of said parcel;
thence N 65°38'05"W 95.05 feet;
thence N 31°05'05"W 312.68 feet;
thence N 28°44'58"W 656.41 feet;
thence N 17°09'57"W 123.68 feet;
thence N 68°50'45"E 154.40 feet;
thence N 30°47'05"W 235.16 feet;
thence N 42°42'34"W 242.58 feet;
thence N 63°26'03"W 590.05 feet;
thence N 81°30'58"W 177.34 feet;
thence S 05°28'54"E 46.90 feet;
thence S 40°38'20"W 68.83 feet;
thence S 89°56'07"W 187.61 feet to a point on said westerly right-of-way line;
thence N 00°08'15"E 733.30 feet to the TRUE POINT OF BEGINNING for this description

ORIGINAL
IN
A72-00110A

Said Parcel contains 56.25 acres.

RECEIVED

FEB 14 1996

Department of Water Resources

DEC 03 1996

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 Kelly K Christensen

DATE

February 14, 1996 11:46am

CUSTOMER

SPENCER STRAND 879-2589

SUBJECT: CHANGE OF OWNERSHIP FOR A72-00110 & A72-00111
phone call (X) walk-in (.)

He indicated that the exchange with the City of Challis has been completed and he now wants to complete the change of ownership for the portion going to the City. He indicated that the exchange is based upon the work we did in this office last fall. We discussed the blanks on form 42-1409(7). He stated that he will fax a copy of the property description to me and then mail the ownership change form. His agreement with the City was to have this completed within 10 days. I told him that based upon what we have done and what he has told me, that I see no problem in having it completed in that time.

DEC 03 1996

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 Kelly K Christensen

DATE

February 12, 1996 9:20am

CUSTOMER

SPENCER STRAND

SUBJECT: CHANGE OF OWNERSHIP FOR A PORTION OF A72-00110 AND
A72-00111

phone call (X) walk-in (.)

He called to let me know that the golfcourse gift to the city of Challis appears to be nearing completion. He indicated that he expects the final paperwork to be completed at the next meeting tomorrow. He asked about the change of ownership procedure and if it could be completed in ten days. I told him that if the gift is based upon the same data that we compiled last fall then I could complete the paperwork within one or two days after receiving the ownership change request. He indicated that around Challis that all the snow is now gone but that there appears to be a good snow pack up high.

DEC 03 1996

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 Kelly K Christensen

DATE

December 12, 1995 1:42pm

CUSTOMER

SPINCER STRAND

SUBJECT: POSSIBLE SPLIT OF A72-00110 AND A72-00111
phone call (X) walk-in (.)

He stated that he expects the transfer of the golf course property, as previously identified, will be transferred to the City of Challis tonight. He wanted verification of the numbers that he intends in including in the warranty deed. He stated that he is going to list the adjudication claims and the proportionate split rates and resulting proportionate diversion rate.

DEC 03 1996

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 Kelly K Christensen

DATE **CUSTOMER**
October 10, 1995 8:46am SPENCER STRAND

SUBJECT: TRANSFER FOR A72-00110 & A72-00111
phone call (X) walk-in (.)

He called to let me know that he will be unable to meet with me today. He is busy filing objections to the federal non-consumptive claims.

We discussed the federal filings in general and rescheduled the meeting for the transfer tentatively for next week.

DEC 03 1996

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 Kelly K Christensen

DATE **CUSTOMER**
October 5, 1995 9:13am **SPENCER STRAND**

SUBJECT: CHANGE OF OWNERSHIP FOR GOLF COURSE RE A72-00110 AND
00111
phone call (X) walk-in (.)

I returned his call of Oct 2, 1995 as noted by Steve Clelland. We discussed the status of the pending property gift of the golf course to the city. He decided that it would be best if he brought in some maps and worked through the property to specifically identify the ground to be transferred and the irrigated ground going either way. We also briefly discussed the federal filings and the objection issue for those claims. He indicated that he would like to come in either the 10th or the 11th.

DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. _____

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 Steve Clelland

October 2, 1995 11:33am

NAME:

SPENCER STRAND

CALLIN

RE:

QUESTION ON OWNERSHIP

HE WANTED TO KNOW HOW TO CHANGE THE OWNERSHIP OF SRBA CLAIMS AND WHAT WAS NEEDED TO ACCOMPLISH THE CHANGES. I TOLD HIM IT IS A SIMPLE PROCESS TO FILL OUT THE FORM AND LIST THE WATER RIGHTS. PROOF OF OWNERSHIP IS ESTABLISHED BY FORMER OWNER SIGNATURE OR A WARRANTY DEED SHOWING THE TRANSACTION. HE IS DONATING 55 ACRES TO THE CITY ALONG WITH THE WATER RIGHTS; I SUGGESTED HE TALK TO KELLY FOR THE EXACT WATER FLOWS THAT MAY BE RECOMMENDED TO THE PROPERTY.

Phone: 879-2589

DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00004J

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 Frank Hitchcock

October 2, 1995 2:12pm

NAME:
SPENCER STRAND

RE:
U.S. AND INDIAN CLAIMS
A72-00004J ET AL

TF AT 1:12 PM-TCW TILL 1:30 PM. REVIEWED THE FEDERAL FILINGS
SUBJECT TO THE LIMINTATIONS. QUOTED FROM THE LEGAL DEPT. MEMOS AND
THE MAILED NOTICE.

REVIEWED THE DEPOSITORY AT THE CUSTER CO. COURTHOUSE AND HOW TO USE
IT. DISCLAIMED ATTORNEY STATUS.

MAILED HIM: STF 1, CC OF NOTICE MAILED 04-17-1995 AND CC OF PRESS
RELEASE SENT OUT 04-11-1995.

COPY

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 7, 1995

SPENCER STRAND
CHALLIS RECREATION & DEVELOPMENT CORP
BOX 81
CHALLIS ID 83226

RE: APPLICATION FOR TRANSFER OF WATER RIGHT FOR 72-00110 AND
72-00111

Dear Spencer

Enclosed is the partially completed Application for Transfer of Water Right for the above claims and selected copies of the transfer application. I have also completed the change of ownership for the respective adjudication claims and have enclosed copies for your records.

In combining the property boundary as described in section I of the warranty deed with the irrigated ground boundary you outlined on the aerial photo I planimetered each quarter quarter and found the acres as shown on page one of the transfer and the land list attached to the warranty deed. That boundary contained 170 acres rather than the estimated 199 as approved through transfer 3747.

I have enclosed a blank part 1 of the application for transfer if you feel some of the information needs to be changed. The two inserts identified as part 2 is just a description of the rights as they were approved through transfer 3747 and will stay the same regardless of the changes you elect to make.

If the paperwork as completed is satisfactory, then complete item 2 page 1, portions of item 6 page 2, and item 10 on pages 4 and 6, sign the transfer form on page 10, and have your signature notarized. As noted on the instructions, the filing fee of \$100.00 is due with the Application for Transfer.

Hopefully this package meets with your approval, however, if you have any questions please give me a call. I am tentatively anticipating being in the Stanley area during a portion the week of August 14th through August 18th.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
Enclosures

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 24, 1995

DAN STRAND
BOX 81
CHALLIS ID 83326

RE: REQUEST FOR EXTENSION OF TIME FOR 72-00110 AND 72-00111

Dear Dan

Enclosed are the Extension of Time forms and the fee schedule. After talking to Spencer on the phone I pulled the forms and discovered that the policy is one right per request form and the \$100.00 filing fee per request. I have completed the generic portion of the request form for you based upon the decree and/or information in transfer 3747.

Please review the extension of time forms to verify that I have entered the information as you want and then complete any blank entries that I did not complete.

As water rights transfer with the property you are considered the owner of those rights, however the change of ownership for the adjudication claims has not been completed. As this may cause a delay in processing the 'extension of time', we should finalize the ownership change as soon as possible. I have enclosed a change of ownership form for your use.

If you have any additional questions please give me a call.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Feb-1994

ELAM & BURKE
SCOTT L CAMPBELL
KEY FINANCIAL CENTER
702 WEST IDAHO
PO BOX 1539
BOISE ID 83701

RE: SNAKE RIVER ADJUDICATION CLAIMS A72-00048, A72-00051B,
A72-00051L, A72-00110, AND A72-00111

Dear Mr Campbell

The deadline for final review and recommendation of claims filed in basin 72 is rapidly approaching and I need to finalize the place of use for these claims.

I have enclosed two sets of aerial photos to graphically represent the stages of development of these claims verses the place of use as described in the transfers T-3745 and T-3747. On the face of the taped together orthophotographs I have listed the transfer acres as they were entered and I have either indicated the outside boundary as the existing physical limit or squared off the claimed number of acres within its respective quarter. I have also attached a transparency to those photos with the 1988 irrigated acres highlighted in green. As you can see there is a considerable difference in several areas. Note that in the SWSE of sec 33 44 acres have been identified as irrigated within the two transfers.

I have also enclosed a copy of BLM photo 10-9C-5 (enlarged 200%) that shows the ground irrigated in 1988 as the darker ground. I have also outlined some of the ground in red that has been historically irrigated. The outlined areas west of highway 93 appeared to have been relatively recently

DEC 03 1996

CAMPBELL
PAGE 2
01-Feb-1994

irrigated whereas the ground east of highway 93 outside of the dark area does not appear to have been irrigated for some time (based upon field verification).

Please contact me with your intentions as soon as possible because I am required to make a recommendation even without further direction from the claimants.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

DEC 03 1996

Quarter Quarter Lines are extractions
 CLAIM T. R. S. Q/Q INIT KKC
 P/D 7-16-88 FLSHT enlarged
 PHOTO ID. BLM 10-9C-5 200%



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26 21

RECEIVED

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

JAN 06 1994

Department of Water Resources
Southern Region Office
TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

January 5, 1994

Mr. Kelly Christensen
Senior Water Resource Agent
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Change of Ownership for Adjudication Claim A72-00048

Dear Mr. Christensen:

The purpose of this correspondence is to confirm the content of our telephone conversation of January 4, 1994. I contacted you to advise you that I have been retained to represent the interests of Thompson Creek Mining Company, particularly involving their water rights in the Snake River Basin Adjudication process.

I mentioned that I was particularly interested in your correspondence of November 30, 1993 to Spencer Strand, a representative of the Challis Recreation and Development Corporation. I have enclosed a copy of that correspondence for ease of reference. (~~not enclosed~~ KKC 1-6-94)

As I pointed out during our telephone conversation, I was concerned with a number of statements which you made in your correspondence to Mr. Strand involving change of ownership with respect to water right 72-00048 and adjudication claim A72-00048. I informed you that I believe that the reference in the deed instruments, conveying certain real property to the Challis Recreation and Development Corporation, erroneously included a reference to water right claim A72-00048.

You confirmed with me that you were aware that some confusion existed with regard to the transfer of the real property and appurtenant water rights from Cyprus Mining Corporation to the Challis Recreation and Development Corporation. You indicated to me that you will not take further action with regard to formalization and finalization of the Snake River Basin Adjudication Director's Report for Basin 72 until adequate documentation has been provided by all of the parties concerned in this matter. You also indicated to me that

DEC 03 1996

Mr. Kelly Christensen
January 5, 1994
Page Two

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JAN 06 1994

Department of Water Resources
Southern Region Office

you had discussed these issues with Mr. Bert Doughty of Thompson Creek Mining Company during your field inspection of the Cyprus water rights in 1993.

As I indicated during our telephone conversation, I will proceed to obtain proper clarification of the appropriate place of use for water right claim A72-00048. I will provide that information to you as soon as possible.

If any developments occur in the interim period, please contact me before any final action is taken by the Department of Water Resources with regard to the recommendations in the Director's Report for water right A72-00048. I will assume that you will extend this courtesy to me, unless I am informed to the contrary in writing.

Thank you for your cooperation with respect to these matters.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:ma

cc: Mr. Bert Doughty

DEC 03 1996

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/22/96 09:02:13
Page 1

Water Right Number - R72-001108

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
CITY OF CHALLIS

- 1 - PO BOX 587
- 2 -
- 3 -

VERIFIED BY KKC

DEC 03 1996

*** 0 - ORIGINAL OWNER ***
CYPRIUS THOMPSON CREEK MINING CO

- 1 - C/O BERT DOUGHTY
- 2 - PO BOX 62
- 3 -

City- CHALLIS
Phone - 208-879-2386
State- ID Zip- 83226
City- CLAYTON
Phone - 208-838-2200
State- ID Zip- 83227

Priority Date - 05/15/1878

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - GARDEN CREEK

Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	19E	32	NW NW NW			(37) CUSTER	UPPER BRADBURY DITCH

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
D1 - IRRIGATION		04/15	10/15		D.620	

+ - Total Div. Rate - 0.620 + - Total Div. Volume - + - Total Consumptive Use - 0.0 + - KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	32	SW NE		16.0	01	IRRIGATION	(37) CUSTER	
14N	19E	32	SE NW		20.0	01	IRRIGATION	(37) CUSTER	
14N	19E	32	NW SE		18.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 54.0

- + - Diversion Means - ROCK DAM TO EARTH DITCH TO PLACE OF USE. PUMP TO IRRIGATED GND
- + - Non-Irrigation Use -
- + - Other Rights for Same Use - 72-001118

Remarks - ***PURSUANT TO APPROVED TRANSFER 4749 DATED JANUARY 23 1996 KKC *
Combined Right Nos. 72-00110 and 72-00111 shall not exceed the
total combined irrigation of 183.0 acres, nor a total combined
annual diversion volume of 640.5 af.

Prefix Translation: RESEARCH

Remarks
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.87 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 135 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 54 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00111A AND 72-00111B. THE FOLLOWING RIGHTS ARE DIVERSED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 72-00080A, 72-00110A, 72-00110B, 72-00111A, 72-00111B, AND 72-10257.

A7200110

Old Water Right Numbers -

- Conditions of Approval -----
- R04 - Use of water under this water right will be regulated by the
- Watermaster of State Water District No. 72B.
- R30 - 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 the
- lands above.
- R39 - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.
- T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
- T09 - 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.

Decree Plaintiff - - - +
ADAMS, ET. AL.

+ - - - Decree Defendant - - - +
VANDERVOORT, ET. AL.

+ - Decree Date - +
05/19/1914

+ - - - - -C
Date: 02/22/1996 User Id: KCHRISTE Subject: COPIED FROM REMARKS

ents

ITEM 5 WATER THEN
FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION POINT. STEEL BURIED PIPELINE WITH ENDPOINT BEING SPRINKLERS. 1409(7) AND ATTACHED WARRANTY DEED. KKC***
PURSUANT TO APPROVED TRANSFER 4/40 DATED JANUARY 23 1996
total combined irrigation of 183.0 acres, nor a total combined
***** DATA ENTRY BY KKC 2-14-96 *****
WATER IS DIVERTED WITH ROCK JETTY INTO METAL MEASURING FLUME.
FLOWS INTO EARTHEN DITCH SYSTEM AND EVENTUALLY FLOWS INTO 8"
*** CHANGE OF OWNERSHIP ENTERED ON 8-4-95 BASED UPON SIGNED

Combined Right Nos. 72-00110 and 72-00111 shall not exceed the
annual diversion volume of 640.5 af.
CHANGE OF OWNERSHIP SPLITTING RIGHT DATA ENTERED 2-15-96 KKC

Audit Fields - - +
02/22/96 KCHRISTE

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/26/1993	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 02/22/1996	Old Judicial District	-	

DEC 03 1996

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/22/96 09:02:14
Page 3

Water right number - R72-001108

Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +			
Claim Received Date	- 01/12/1990	Last Amended Date	- 00/00/0000
		Receipt Number	- X777777
		POU Ownership Flag	- Y
		Name Connector	-
		Temporary Right	- P
		Water District	- 728
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

DEC 03 1996

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-		7-26-93 KKC					
POINT OF DIV	-		6-17-93 KKC					
SOURCE	-		"					
PLACE OF USE	-		7-26-93 KKC					
DIV. AMOUNT CFS/VOLUME	-		transfer					
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-		2-22-96					

The adjudication Recommendation is Based upon
an approved transfer.
See 2 page memo titled Review of 72-00110 & 72-00111
2 photos attach must page is attached
All other CLK page discarded as
the transfer contains the pertinent data

BARCODE UPDATED
WHOM/DATE

2-22-96
KKC

signature Kelly K Christensen
date 2-22-96
examiner: KELLY K CHRISTENSEN
title: SR WATER RESOURCE AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☐ ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
☐ NAPP	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ ASGS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ ASGS COLOR SLIDE	DATE OF PHOTO		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAIN		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☐ OTHER	DATE		
☐ OTHER	DATE		



REVIEW OF 72-00110 AND 72-00111

Transfer # 3747 was filed by Cyprus Thompson Creek Mining Company, and after hearings held in Challis, ID, the department approved the transfer. The subject of the hearing was the change in point of diversion for those rights and other rights listed in transfer # 3745. Adjustments were made concerning the diversion rates of some of those rights. No verification of the place of use was made.

During my 1993 field verification of the rights involved, I determined that the place of use identified in the transfers did not exactly match the irrigated and/or intended to be irrigated place of use. I discussed this with Bert Doughty but before an action was taken to resolve the discrepancies, Cyprus Thompson Creek Mining Company sold a portion of their property to Spencer Strand (Challis Recreation and Development Corp). The above listed rights are appurtenant to the ground purchased by Mr Strand.

I worked with Mr Strand to identify the exact place of use irrigated and/or planned to be irrigated under those rights. We also mapped and identified a portion of ground that Mr Strand indicated he was attempting to donate to the City of Challis (property known as the Golf Course). He filed transfer # 4740 on October 18, 1995 to identify the irrigated acres for the two rights. This was approved by the department on January 23, 1996. The adjudication claims were then adjusted to reflect that information.

The donation to The City of Challis was completed on February 14, 1996. Mr Strand called me with the information and subsequently faxed a change of ownership and the legal description of the property transferred to the City. The faxed legal description matches the legal description which was the basis for the place of use map finalized on October 20, 1995. This map and the identified acres are the basis for splitting the above claims.

BASIS FOR ADJUDICATION RECOMMENDATION

The adjudication recommendations for A72-00110A, A72-00110B, A72-00111A, and A72-00111B are based upon allocation data from the last transfer (4740).

DEC 03 1996

February 20, 1996
Review of 72-00110 and 72-00111

The point of diversion recommendation for all claims was modified to identify the NW ten acre tract and that the diversion system is also known as the Upper Bradbury Ditch. Spencer Strand's property claimed under A72-00110A and A72-00111A and the Golf course system claimed under A72-00110B and A72-00111B share the same ditch from the point of diversion to the property but is applied to the irrigated ground by an independent application system.

Remarks were modified to include adjudication remark codes F06 (identifying all rights using the same point of diversion), E09 (identifying the combined limitations of overlapping rights).

FOR ALL CLAIMS LISTED

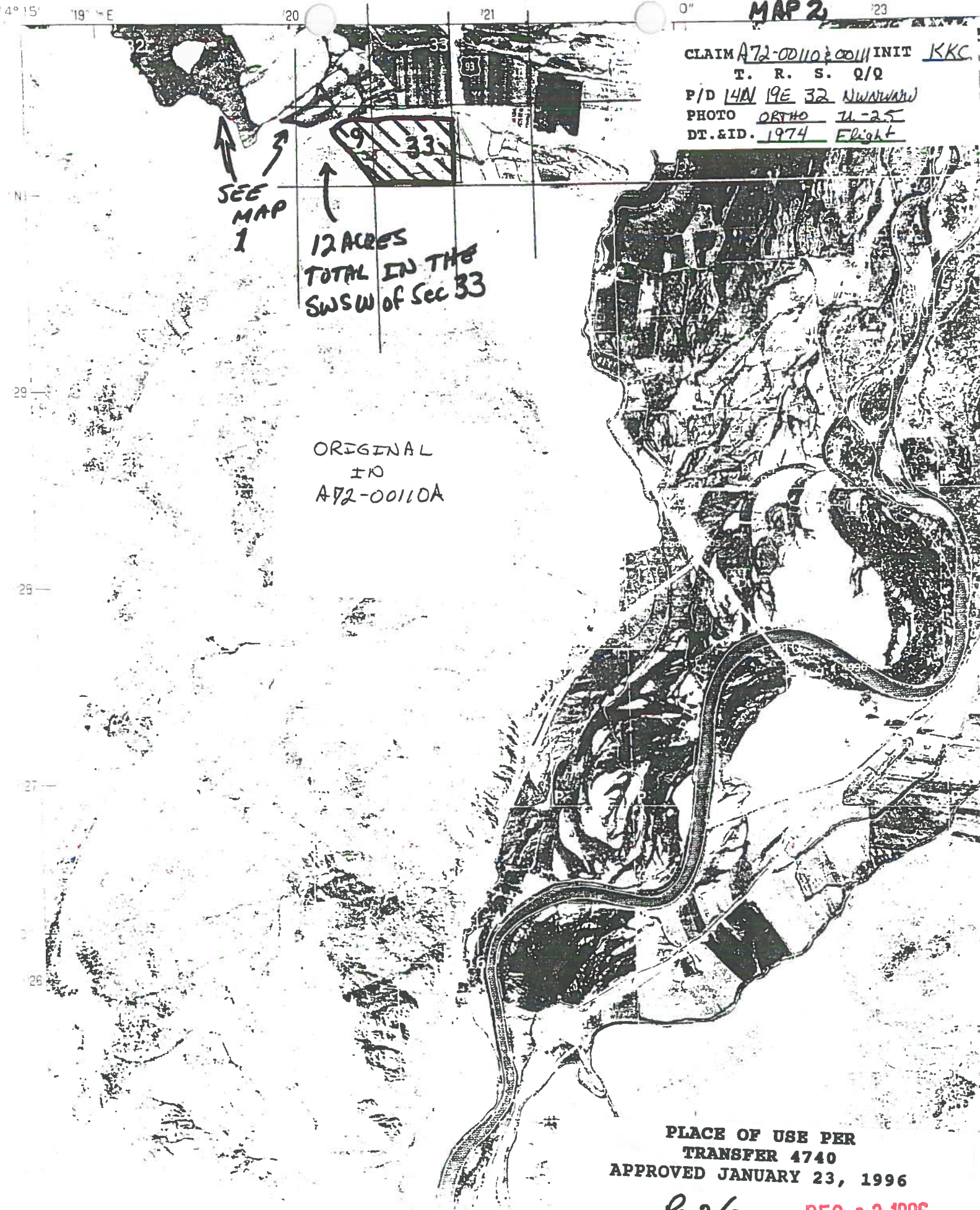
REMARK CODE	DATA
F06	72-00080A, 72-00110A, 72-00110B, 72-00111A, 72-00111B, AND 72-10257.

FOR 72-00110A AND 72-00111A

REMARK CODE	DATA
E12	0.87 CFS; 135 AFA; 54 ACRES; 72-00110A AND 72-00111A

FOR 72-00110B AND 72-00111B

REMARK CODE	DATA
E12	2.09 CFS; 322.5 AFA; 129 ACRES; 72-00110B AND 72-00111B



MAP 2

CLAIM A72-00110 & 00111 INIT KKC
 T. R. S. Q/Q
 P/D 14N 19E 32 NW1/4
 PHOTO ORTHO 11-25
 DT. & ID. 1974 Flight

SEE
MAP
1

12 ACRES
TOTAL IN THE
SWSW of Sec 33

ORIGINAL
IN
A72-00110A

PLACE OF USE PER
TRANSFER 4740
APPROVED JANUARY 23, 1996

Pg 2/2

DEC 03 1996

CLAIM NUMBER A72-00110DATE 10-19-95A72-00111AGENT KKC

CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRES
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
GOLF COURSE	14	N19E	32			16					20						18			54
OUTSIDE COURSE			32	1	4	24	3	3			12	2				15	10		7	81
TOTAL			32	1	4	40	3	3			32	2				15	28		7	13

CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRES
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
GOLF COURSE	14	N19E	32	N	0	N	E													0
OUTSIDE COURSE			32									3	12	33						4
TOTAL			32									3	12	33						4

GOLF COURSE TOTAL 54OUTSIDE GOLF COURSE TOTAL 129SYSTEM TOTAL 183PROPORTIONAL SPLIT OF THE DIVERSION RATES

RIGHT	RATE
A72-00110	2.10 CFS
A72-00111	0.86 CFS

GOLF COURSE PORTIONRETAINED BY SPENCER STRAN

$$A72-00110 \left(\frac{54}{183} * 2.10 \right) = 0.619 \approx 0.62 \text{ CFS} \quad \left(\frac{129}{183} * 2.10 \right) = 1.4803 \approx 1.4$$

$$A72-00111 \left(\frac{54}{183} * 0.86 \right) = 0.253 \approx 0.25 \text{ CFS} \quad \left(\frac{129}{183} * 0.86 \right) = 0.606 \approx 0.61$$

DEC 03 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4740
WATER RIGHT NO(S). 72-00110/72-00111

RECEIVED

This is to certify that: CHALLIS RECREATION & DEVELOPMENT CO
PO BOX 377
CHALLIS ID 83226

Department of Water Resources
Challis District

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. 72-00110 : IRRIGATION Priority: 05/15/1878	04/15 to 10/15	2.10 CFS	640.5 AF
Right No. 72-00111 : IRRIGATION Priority: 05/15/1899	04/15 to 10/15	0.86 CFS	312.2 AF
TOTAL:		2.96 CFS	* 640.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GARDEN CREEK	SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 32, Township 14N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N 19E 32	NENE 1	NWNE 4	SWNE 40	
	SENE 3	NENW 3	SENW 32	
	NESW 2	NESE 15	NWSE 28	135
	SESE .7			
33	NWSW 3	SWSW 12	SESW 33	48
Total number of acres irrigated:				* 183

DEC 03 1996

TRANSFER NO. 4740
WATER RIGHT NO(S). 72-00110/72-00111

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 72B.
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 the lands above.
- OIE 3. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.
- *7. Combined Right Nos. 72-00110 and 72-00111 shall not exceed the total combined irrigation of 183.0 acres, nor a total combined annual diversion volume of 640.5 af.

Dated this 23 day of

January, 1996

J. D. Saxton

for Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 72-00110 & 72-00111

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT:. TRANSFER NO. 4740

DATE: January 12, 1996

=====

Transfer No. 4740 was filed to reduce and change the place of use under Right Nos. 72-00110 and 72-00111. No physical change occurs, the current owner wants to more accurately identify the acres irrigated under the current system.

The watermaster was contacted by region staff and had no comment to make regarding this transfer. Season of use and diversion volume were adjusted to current standards.

Recommended conditions include combined right limits, watermaster control, irrigation overlap, measuring device/lockable controlling works and standard transfer conditions.

DEC 03 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

Date Sent to S.O.

JAN 04 1996

INITIAL REVIEW BY: J. Stanton

Date: 12-01-96

1. Right number 72-00110

Applicant Charles Riccieton & Lindebergmont Corp.

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred. See Est. of Time To Avoid Forf.

h. ☒ Check for expansion in use of right. Comments Proposal will reduce # of acres shown as irrigated - no actual change in P/U

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) N/A - no change in P/U

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 72-B

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

— Meas. device & control works

— Under control of Watermaster 72-B

— Subject to SRDA

4. By Am

Date 1/4/96

* All uses within Watermaster Districts require special conditions.

DEC 03 1996

T # 4740

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4740

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Charlis Recreation & Development Co. Phone 208 874-2589
Post Office address Box 377 Charlis 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 TRANSFER 3747 DID NOT PROPERLY IDENTIFY THE ACTUAL IRRIGATED GROUND. THEY REPRESENTED AN ESTIMATED P/U USING QUAD MAPS. THIS TRANSFER IDENTIFIES THE P/U BASED UPON AERIAL PHOTOGRAPHY & INDEPENDENT SURVEY.

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|---------------|-----------------------------|
| <u>72-06110</u> | <u>5-15-1878</u> | <u>2.10 cfs</u> | <u>IRR.</u> | <u>4-15</u> to <u>10-15</u> |
| <u>72-00111</u> | <u>5-15-1899</u> | <u>0.86 cfs</u> | <u>IRR</u> | <u>4-15</u> to <u>10-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 2.96 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GARDEN CREEK tributary to SALMON RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CLUSTER	UPPER BRADBURY DITCH

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	
14N	19E	32	1	4	40	3	3			32	2			15	28		7		135
		33									3	12	33						48

DEC 13 1998

Total acres 183

PART 1

6. General Information:

- a. Description of diversion system WATER IS DIVERTED VIA ROCK DAM INTO A
EARTH DITCH. FLOW IS CONTROLLED VIA WHEEL GATE AT
THE P/D. A PORTION OF THE P/U IS IRR VIA A PUMP SYSTEM
FROM THE DITCH AND ANOTHER PORTION IS GRAVITY SPRINKLER
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
NO CHANGE.
- d. Remarks:
THE TRANSFER IS BEING FILED TO CORRECT THE
PLACE OF USE AS GENERALLY DESCRIBED ON TRANS.
3747

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 _____.

DEC 03 1996

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. 72-00110 Decreed to JOHN R BRADBURY
 in case of ADAMS et AL vs. VANDERVOORT
 dated MAY 19 1914 in 6th DIST county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3747 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 GARDEN CREEK tributary to SALMON RIVER4. Date or priority MAY 15 1878

5. Water is used for the following purpose:

amount 2.1 for irrigation purposes from 4-1 to 11-1
 (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 2.1 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
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

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	
14N	19E	33											40				14		54
14N	19E	32		11	40		10	2		36					14	32			145

Total acres 199.

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

72-00111 DEC 13 1996

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 EXTENSION OF TIME TO AVOID FORFEITURE FILED

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	

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. 72-00111 Decreed to JOHN R BRADBURY
 in case of ADAMS et AL vs. VANDERVOORT
 dated MAY 19 1914 in 6th DIST county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3747 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 GARDEN CREEK tributary to SALMON RIVER4. Date or priority MAY 15, 1899

5. Water is used for the following purpose:

amount 0.86 for ir purposes from 4-1 to 11-1
 (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 0.86 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>NW</u>	<u>NW</u>	<u>32</u>	<u>14N</u>	<u>19E</u>	<u>CUSTER</u>	<u>UPPER BRADBURY DITCH</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>14N</u>	<u>19E</u>	<u>33</u>											<u>40</u>				<u>14</u>		<u>54</u>
<u>14N</u>	<u>19E</u>	<u>32</u>			<u>11</u>	<u>40</u>		<u>10</u>	<u>2</u>	<u>36</u>					<u>14</u>	<u>32</u>			<u>145</u>

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Total acres 1499. Describe any other water rights used for the same purpose as described above 72-00110

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 EXTENSION OF TIME FILED (TO AVOID FORFEITURE)

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:

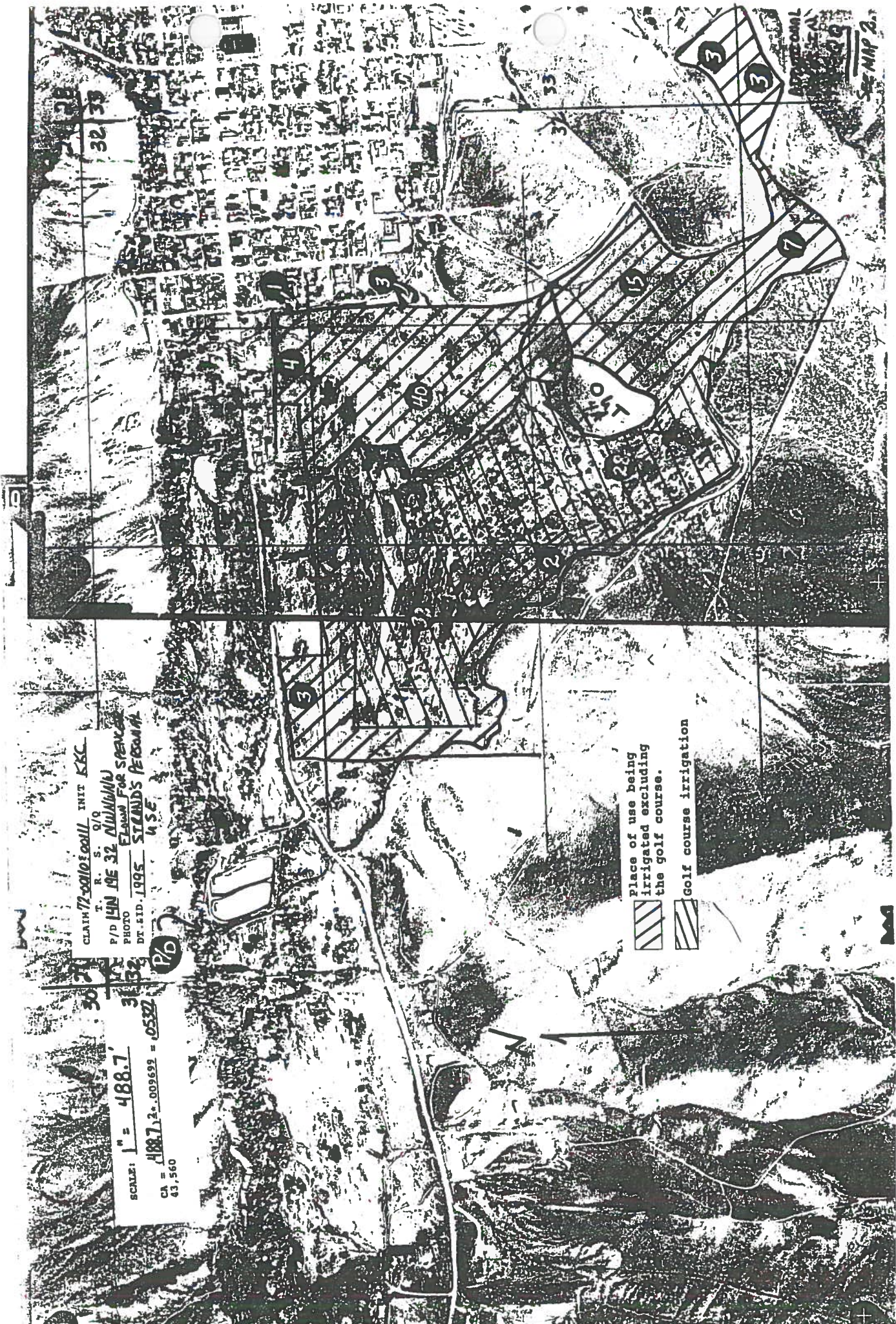
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

DEC 03 1996

Total acres _____



CLAIM 77-001010011 INIT KRC

T. R. S. Q/Q
P/D 14N ME 32 NW/4
PHOTO ELAND FOR SPANCA
DT. SID. 1995 STANDS PERMAN
USE

SCALE: 1" = 488.7'

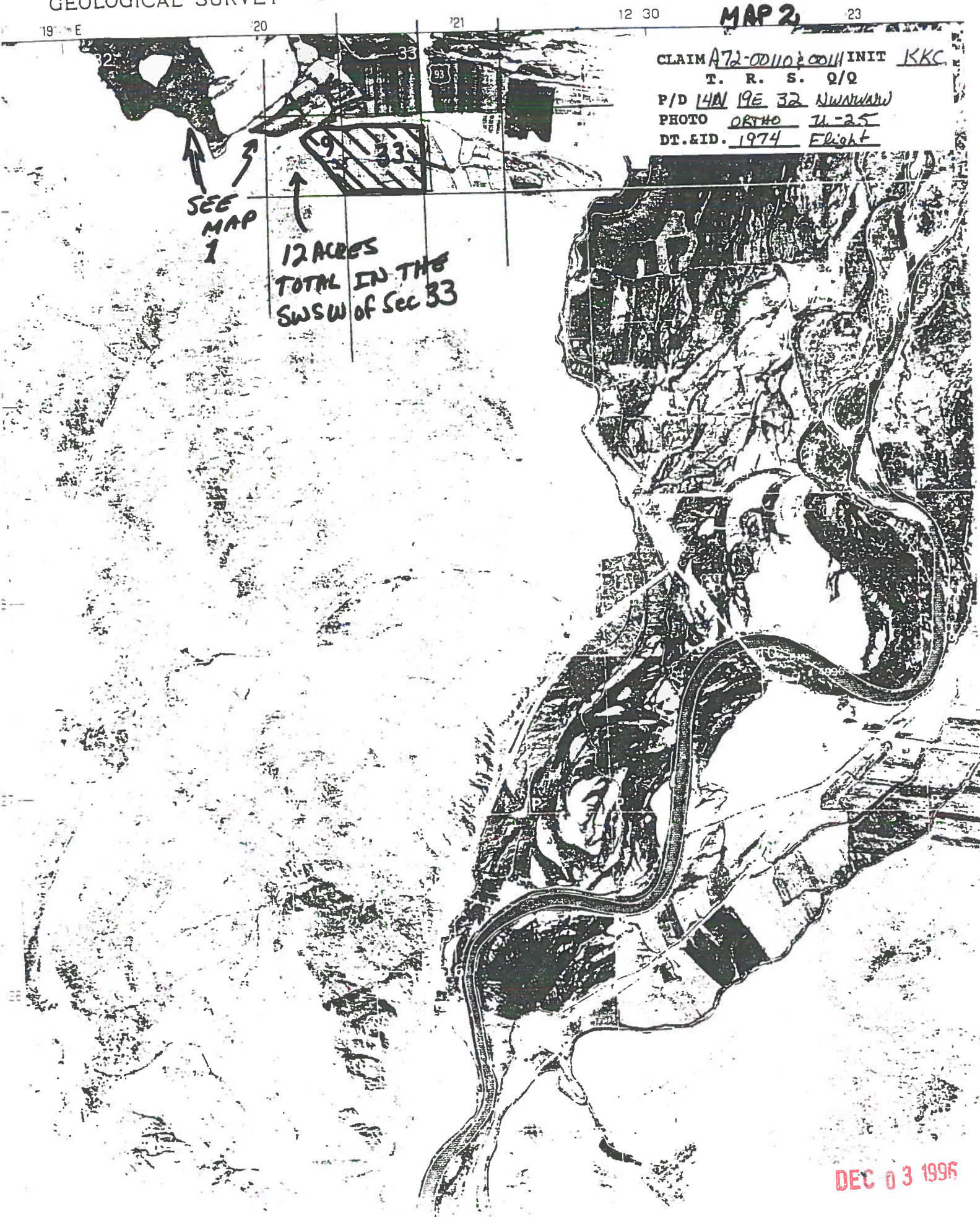
CA = 488.712 * .009693 = .0532
43,560

Place of use being irrigated excluding the golf course.

Golf course irrigation

SEE MAP 2.

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



CLAIM A72-00110 & 00111 INIT KKC
T. R. S. Q/Q
P/D 14N 19E 32 NWN/4NW
PHOTO ORTHO 11-25
DT.&ID. 1974 Flight

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Subscribed and sworn to before me this 18 day of Oct, 19 95.

[Signature] (Pres)
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 3-2-98

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachments

Received by KKC Date 10-18-95

Protest filed by _____

Prelim. check by [Signature] Fee \$100 (5018587)

Receipted by KKC Date 10-18-95

Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates 11/30 & 12/7/95

Hearing held by _____ Date _____

Watermaster recommendation requested on 11/20/95

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED

OCT 20 1995

DEC 03 1995

Department of Water Resources
Southern Region



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STREET
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

**COMMENTS ON 72-00110 & 72-00111 TRANSFER
FILED OCT 18, 1995**

This transfer was filed to correct the place of use that was approved under transfer 3747. During my field verification of the adjudication claims of these rights I found that Bert Doughty (for Cyprus Thompson Creek Mining) had just estimated the acres and location of the irrigated place of use from a quad map. A portion of the place of use identified as part of the system was not and is not owned by Cyprus Thompson (now owned by Challis Development and Recreation Corp). The discrepancy was identified through my field verification of the adjudication claims.

Spencer Strand hired a company to produce an aerial photograph for the majority of the property in order to establish the correct place of use. A copy of this aerial photo was used and is attached to the transfer application with the irrigated ground boundaries outlined. Within the boundary is a second outline that represents a golf course that Mr Strand is in the process of transferring to the City of Challis. It is currently owned by Mr Strand and is just part of the overall irrigated ground that he wishes to identify. The golf course acres will be used for splitting the rights in the adjudication when the transfer to the City of Challis is completed.

The scale of this photo was determined by measuring two identifiable matching points on a survey plat for the proposed golf course and the aerial photo. I did not retain a copy of the golf course survey. This transfer identifies 183 irrigated acres rather than the 199 estimated on the previous transfer. This represents the maximum acreage to be irrigated now or in the future.

Spencer Strand submitted a copy of the warranty deed for the property to establish ownership when filing the extension of time to avoid forfeiture and are available for review. Additional copies were not requested for this filing.

Prepared By KKC
October 19, 1995
File - ADJ:STRAND-TRANSFER.72B

T # 4740

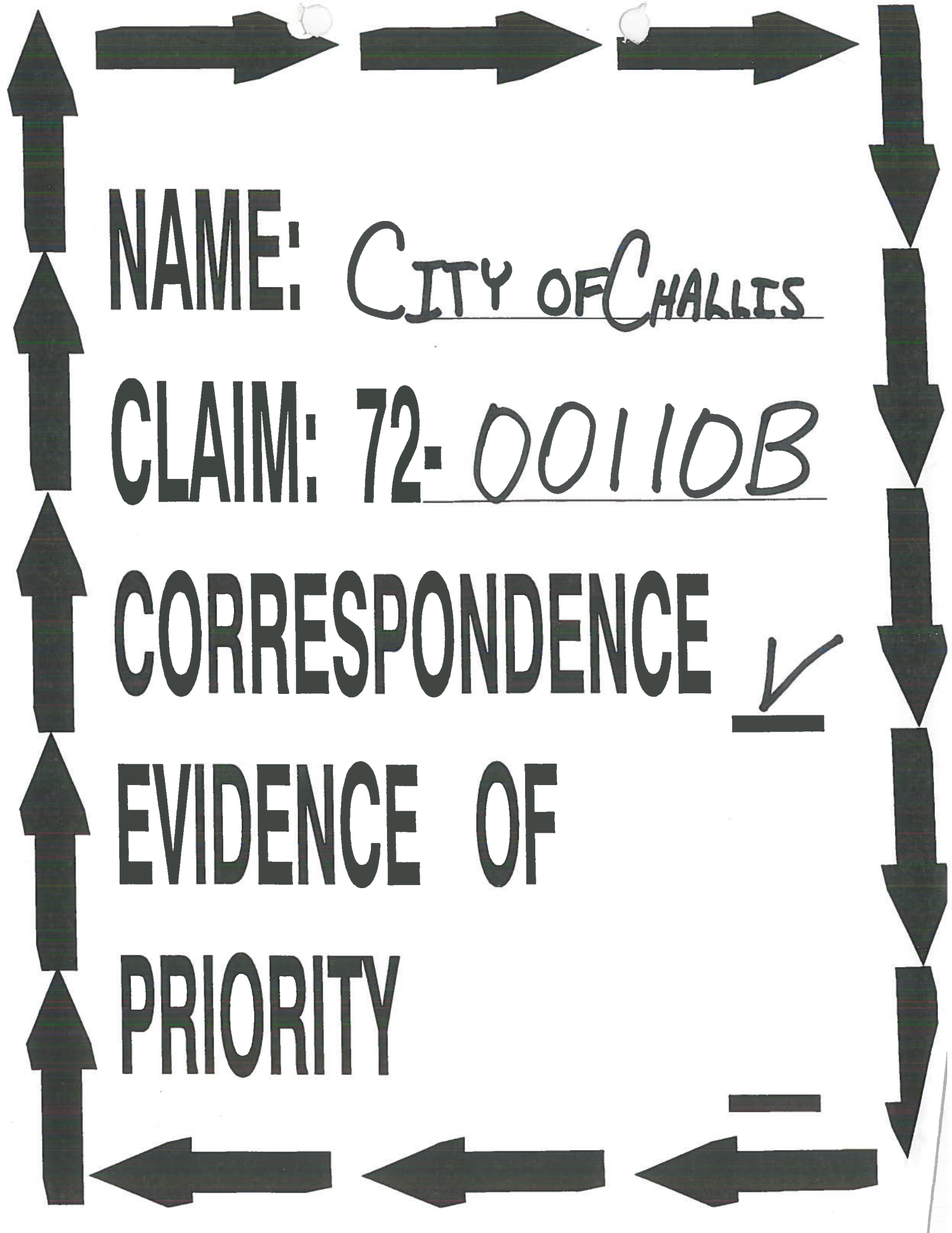
R PROOF

CVR

MAPS

PHOTOS

MISC



NAME: CITY OF CHALLIS

CLAIM: 72-00110B

CORRESPONDENCE ✓

EVIDENCE OF

PRIORITY