



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 26, 2007

SHINER RANCH INC
PO BOX 26
LEMHI ID 83465

RE: Application for Transfer #73524 (74-317A) and Notice of
Administrative Proceeding (NAP)

Dear Claimant:

The Idaho Department of Water Resources (IDWR) received an
Application for Transfer for the above referenced water right(s).

In response to the Application, this office is sending the enclosed NAP
to the SRBA Court and other parties listed on page 2 of the form. The
intent of this mailing is to notify those parties of the requested change.

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

Respectfully,

Jennifer Crabtree
Technical Records Center

Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
)

Water Rights: 74-317A

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer **73524**

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **MAY 30, 2007**

DATED: 4/26/07

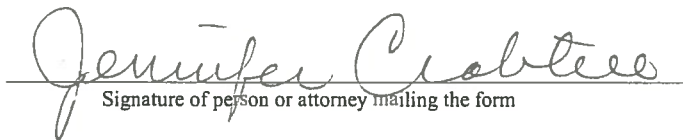
Lyle Swank

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-27, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
SHINER RANCH INC
PO BOX 26
LEMHI ID 83465
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73524APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

COPY

Name of Applicant Shiner Ranch Inc Phone 208 768-2473Post Office address PO Box 26 Lemhi ID 83465

RECEIVED

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 _____

APR - 5 2007

Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes move 2 acres off public ground to private ground

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>78-317A</u> <u>74</u>	<u>2/01/1910</u>	<u>2.67 cfs</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
				to
				to
				to

2. Total amount of water being transferred 2.67 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Kearian Creek tributary to Lemhi

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	36	18N	24E	Lemhi	
		SE	SE	35	18N	24E	Lemhi	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	24E	35																4.0	8.0
		33														28	26		54.0

Total Acres 63.0

PART 1

6. General Information:

a. Description of diversion system headgate, ditch to place of useb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes a 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:

BLM Land will no longer be irrigated

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

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 as evidenced by:

- a. Decree No. 74-317A Decreed to Shiner Ranch INC.
in case of STATE OF IDAHO vs. Shiner Ranch Inc
dated 1-23-2006 in IDAHO county of Lemhi.
- 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. _____ which produced this right.

2. Attach 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 Yearian tributary to Lemhi River

4. Date or priority 2/1/1910

5. Water is used for the following purposes:

amount 2.67 cfs for irrigation purposes from 3/15 to 11/15
(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 2.67 cfs cubic feet per second and/or 2. acre-feet per annum

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	35	18N	24E	Lemhi	
		NW	SW	36	18N	24E	Lemhi	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	24E	33														28.0	26.0		54.0
		35											3.0	2.0				4.0	9.0

Total Acres 63.0

9. Describe any other water rights used for the same purpose as described above None

PART 2

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

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

1. amount .08 cfs for irrigation purposes from 3/15 to 11/15
 (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
		NW	SW	36	18N	24E	Lemhi	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	24E	35													2.0				2.0
																			2.0

Total Acres 2.0**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.59 cfs for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

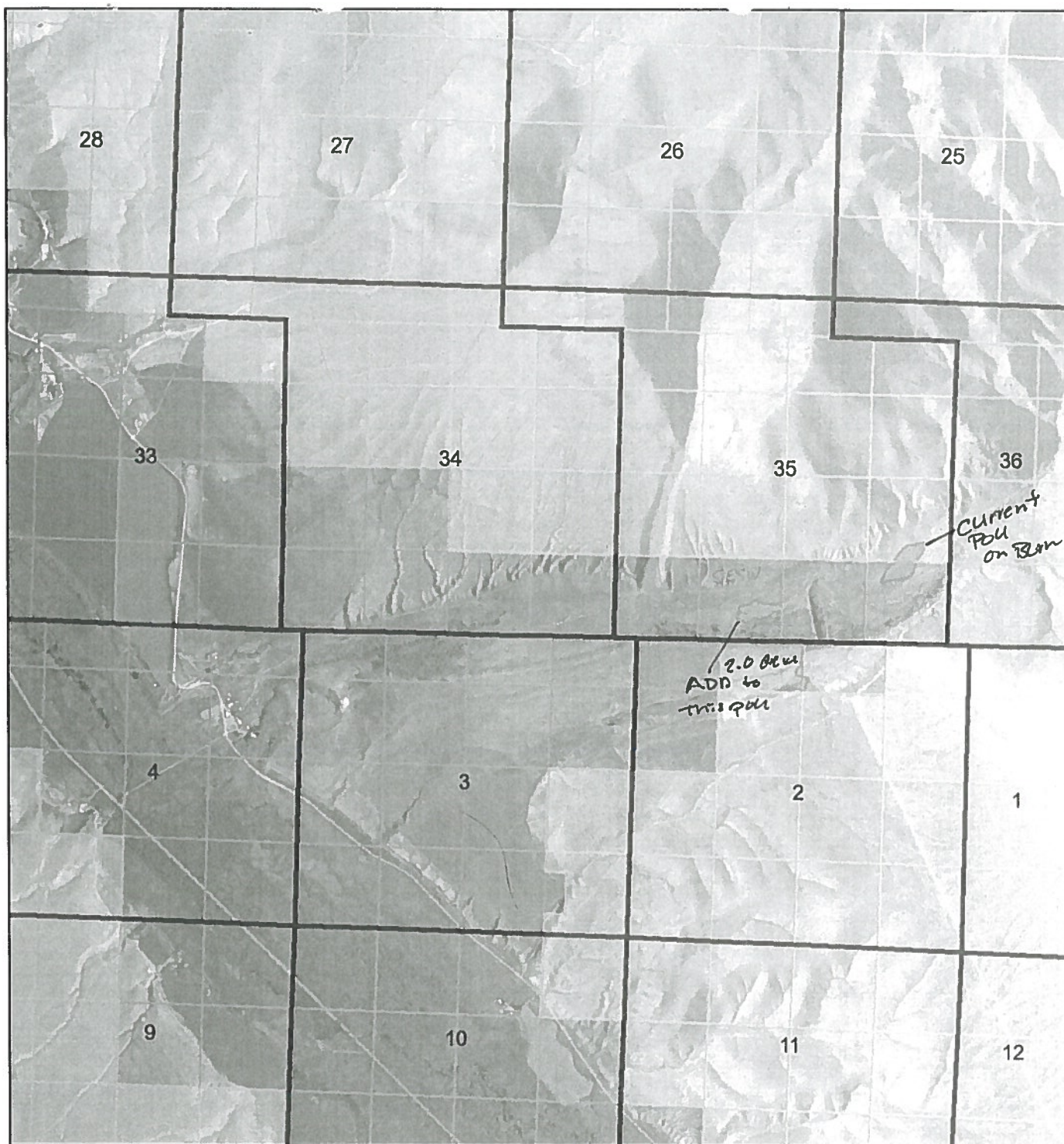
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	32	18N	24E	Lemhi	
		SE	SE	35	18	24E	Lemhi	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	24E	33														28.0	26.0		54.0
		35											3.0					4.0	7.0

Total Acres 61.0



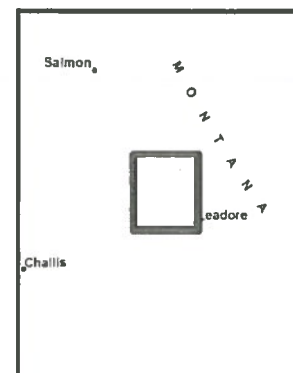
Legend

-  IDWR POU
-  PRIVATE
-  BLM
-  USFS
-  STATE

Shiner Ranch
IDWR #74-317A
T18N R24E S35

Scale 1:24000

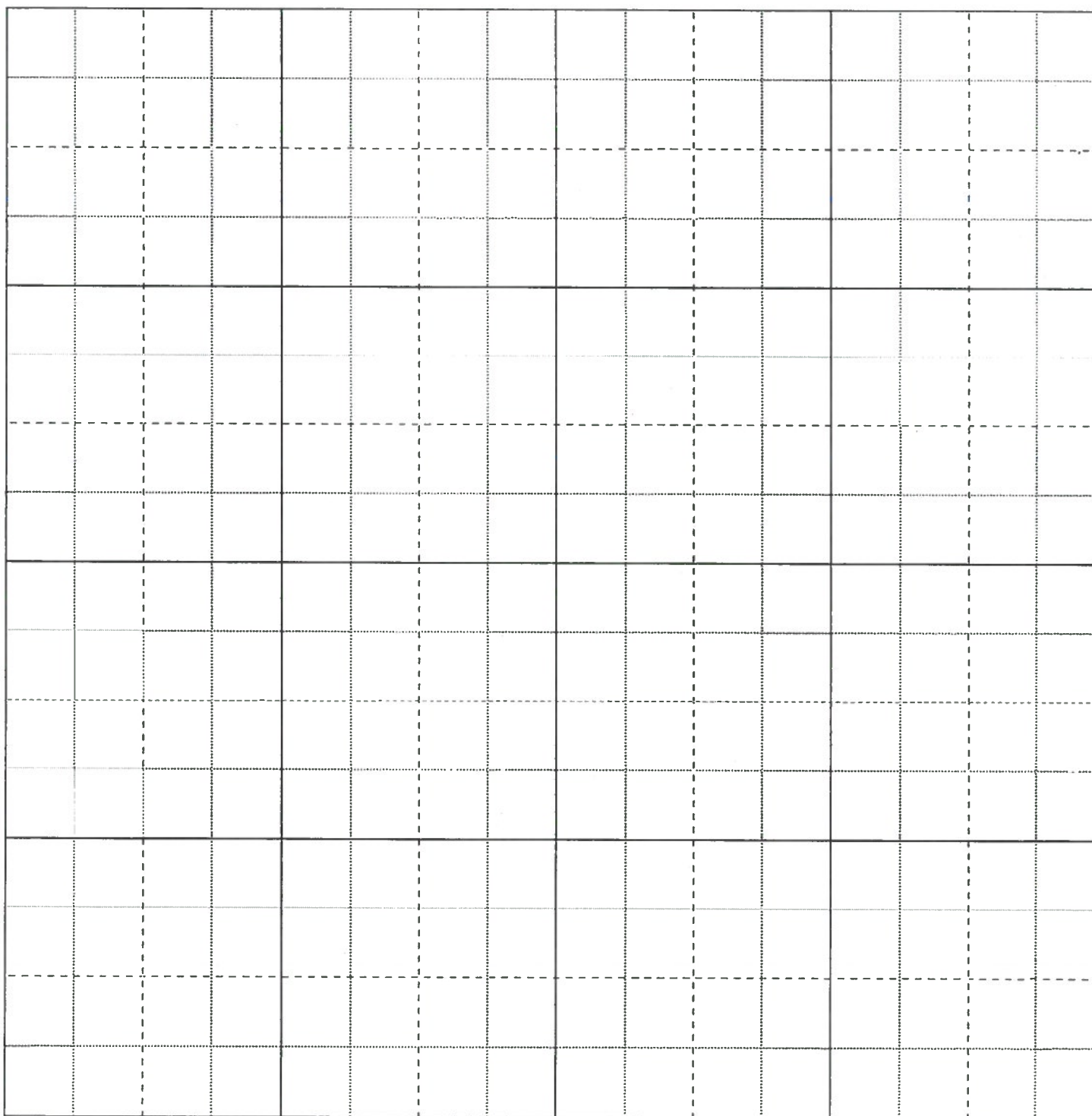
0 0.3 0.6 1.2 Miles



 No warranty is made by the Bureau of Land Management (BLM) for use of this data for purposes not intended by the BLM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



Scale: 2 inches equal 1 mile. Draw plan in ink.

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

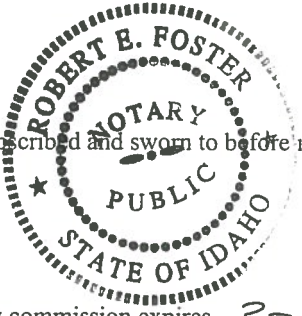
1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

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

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

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


 Subscribed and sworn to before me this 3RD day of April, 20 07
Robert E. Foster (Signature of Applicant)
Robert E. Foster (Notary Public)
 My commission expires 3-6-2013

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by _____ Date 4-5-07 Protest filed by _____
 Prelim. Check by _____ Fee 100-
 Receipted by SC Date 4-6-07 EO32757
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____
 Copy of transfer sent to lien holder _____

4/03/07

Tax Transaction Details

13:45:54

Parcel Key RP 18N24E356000 A Tax Year 2006
Bill Number 7503 Code Area 3-0000

	Date	Batch#	Tran#	Tax	Late	Chg	Interest	Cost	Total
H	12182006	268028	9	13.39					13.39
	CK10777=2,333.98			SHINER RANCH INC/BEVERLY				KAMMY	

F1=Help F3=Exit F6=Display/Hide Remarks, payor F8=TAX COMMENTS F15=PRINT Bottom