

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: A37-00159B
Date Received: 12/21/1988
Receipt No: C004246
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HEATHERLANDS HOMEOWNERS ASSOCIATION 208-788-3894
Address: PO BOX 3901
KETCHUM ID 83340

2. Date of Priority: JUL 30, 1888

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	17		SE	SW		BLAINE
		20		NW	NE		BLAINE

5. Description of diverting works:
TWO WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.600		105.00

7. Total Quantity Appropriated is:
0.600 C.F.S. (and/or) 105.00 A.F.A.

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	17	SW	NW		IRR	7.7
			NE	SW		IRR	9.6
			NW	SW		IRR	1.9
			SE	SW		IRR	6.7

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	19.9
		20	NW	NE	IRR	0.4
			NE	NW	IRR	9.7
					Section Acres	10.1
					Total Acres	30.0

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:
NONE

14. Remarks:

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4649:

1. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

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.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

4. APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

5. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

6. 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THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

7. 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.

8. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

9. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER NO. 4649 SHALL NOT EXCEED 0.60 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 105.0 AF.

10. THE PORTION OF RIGHT NO. 37-00159B DESCRIBED AS 7.440 CFS HAS BEEN ABANDONED THROUGH APPROVAL OF TRANSFER NO. 4649.

NOV 21 1996

14. Remarks: Continued

11. DIVERSION OF GROUNDWATER IS LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM THE ORIGINAL SOURCE, BIG WOOD RIVER, EAST FORK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED

NOV 21 1996

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: A37-00159B

Date Received: 10/27/1988

Receipt No: C004246

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEATHERLANDS HOMEOWNERS ASSOCIATION 208-788-3894
Address: P.O. BOX 3901
KETCHUML, ID 83340

AND

Name: JAMES P. SPECK
Address: P.O. BOX 987
KETCHUM, ID 83340

2. Date of Priority: JUL 30, 1888

3. Source: BIG WOOD RIVER, EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	18E	8	SW NE SW		BLAINE

5. Description of diverting works:

CRAMER #13 HEADGATE, WOODEN FLUME, EARTHEN DITCH, FLOOD IRRIGA.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.000		

7. Total Quantity Appropriated is:

8.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00159B

Page 1

Date: 01/25/89

RECORDED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	18E	17	SW		NW		IRR	15.0
			NE		SW		IRR	4.0
			NW		SW		IRR	5.0
			SE		SW		IRR	13.0
							Section Acres	37.0
		20	NW		NE		IRR	3.0
			NE		NW		IRR	15.0
			SE		NW		IRR	1.0
							Section Acres	19.0
							Total Acres	56.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356
Ident Number A37-001598
Date Received 10-27-88
Receipt Number 0004246

RECEIVED

OCT 27 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Heatherlands Homeowners Association
Phone: (208) 788-3894
Mailing Address: P. O. Box 3901
Ketchum, ID 83340

2. Date of Priority: July 30, 1888

3. Source of water supply (a) East Fork of Big Wood River
which is tributary to (b) Big Wood River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
3N	18E	8	SW	NE	SW		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Cramer #13 Headgate;
wooden flume and earthen ditch; flood irrigation.

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6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	8.0 cfs

7. Total Quantity Claimed: 8.0 cfs

8. Total consumptive use claimed is 140 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
3N	18E	17	SW	NW	I	15
3N	18E	17	NE	SW	I	4
3N	18E	17	NW	SW	I	5
3N	18E	17	SE	SW	I	13
3N	18E	20	NW	NE	I	3
3N	18E	20	NE	NW	I	15
3N	18E	20	SE	NW	I	1

Total number of irrigated acres: 56

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks: Claim is for 1/2 of right originally decreed to Hugh Cramer in S.C. Frost et al. v. Alturus Water Co. et ux.. The other 1/2 is owned by the landowner to the south of the Subdivision. Place of use is common area of the Heatherlands Subdivision, which includes horse pasture and greenbelt. Claimant is the Association of owners of lots in the Subdivision. There is a lot of loss in the lengthy flume and ditch.

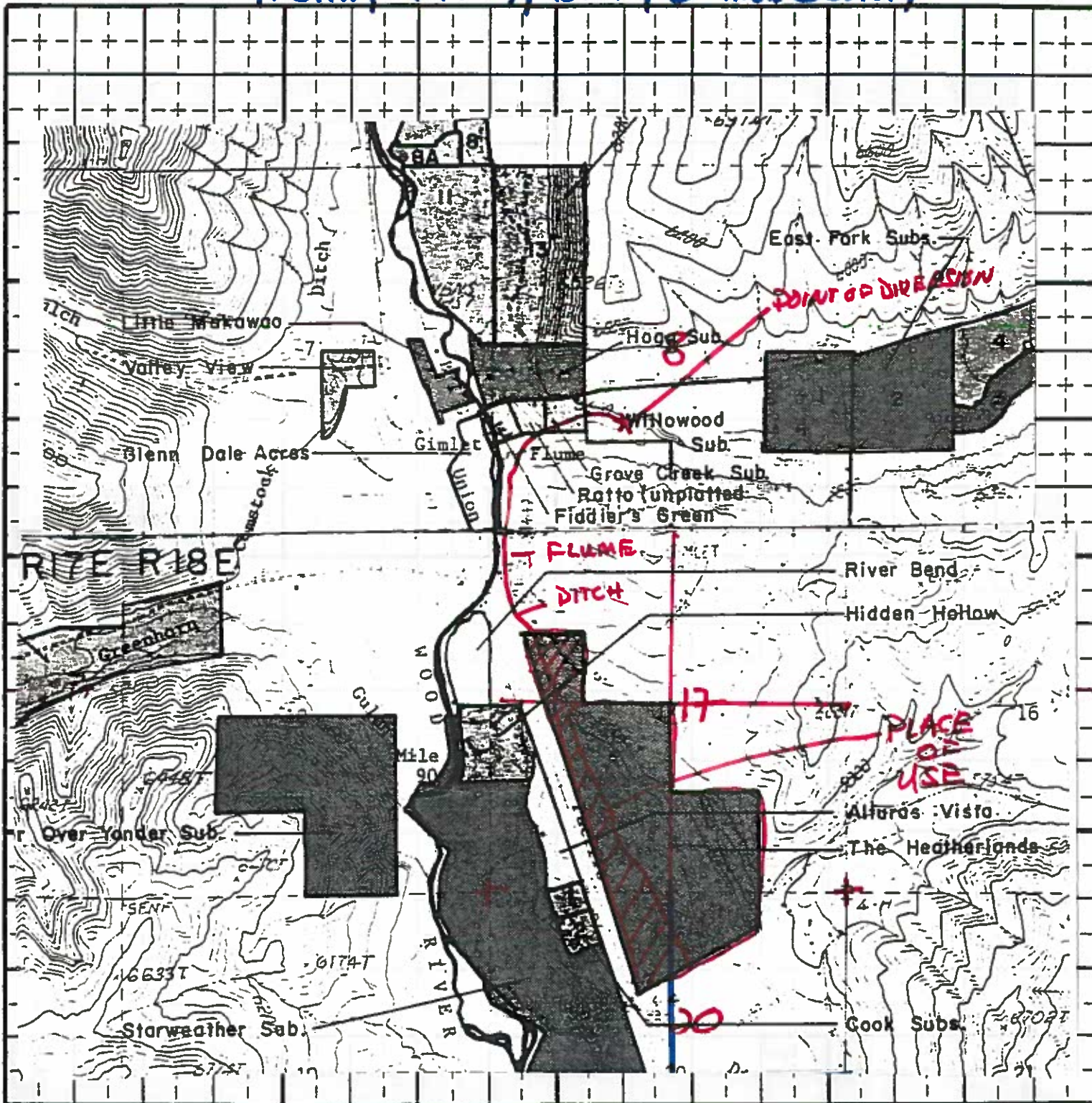
Last Name: Heatherlands

Ident No. _____

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FEB 22 1993

Scale: 2 inches equals 1 mile

T.3.N., R.18E., B.M., BLAINE COUNTY



HEATHERLANDS

Ident No.

Copies: White State, Yellow Claimant

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0159
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - NONE.

[For Organizations] I do solemnly swear or affirm that I am president of Heatherlands Homeowners Association, that I have signed the foregoing document in the space below as president of the Association, and that the statements contained in the foregoing document are true and correct.

Date: 10/24/1988 HEATHERLANDS HOMEOWNERS ASSOCIATION

By: Thomas Bowman
Thomas Bowman, president

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public James P. Speck
Residing at East Fork, ID
Commission Expires 1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/24/88

Last Name: Heatherlands
a2:\hlnds.clm

Ident No.: _____

MICROFILMED
FEB 22 1993

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant FREDERICK BLECHMANN Phone _____

Post Office address PO BOX 184 SUN VALLEY, IDAHO 83353

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 5 inches to be used further north on Mr. Katterman's property for irrigation, horse and bird water etc. CRAMER DITCH RUNS THROUGH BACK PORTION OF MR. KATTERMAN'S PROPERTY. I SOLD MR. KATTERMAN 5" of water for taking care of ditch and giving access over the past 1/8 acre

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
#A 37-00159A	July 30, 1888	10 cfs (5 inches)	IRRIGATION	4/01 to 11/01
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 10 cfs (5 inches) cubic feet per second and/or _____ acre-feet per annum.

3. Source of water EAST FORK RIVER tributary to BIG WOOD RIVER

4. Point(s) of Diversion: CRAMER DITCH

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SW	8	03N	18E	BLAINE	CRAMER # 13 HEAD GATE

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3	18	8											3	2					5

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OCT 24 1994

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OCT 24 1994

Total acres 5 ac.

Blechnann

A 37-00159A, T#

PART 1

6. General Information:

- a. Description of diversion system HEADGATE #13
CRAMER DITCH

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No Yes _____ 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:

Loss of spaces that may be irreplaceable

- d. Remarks:

Note.

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____

RECEIVED
OCT 14 1970

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. 37-00159A Decreed to Hugh CRAMER
in case of S. C. Frost ET AL vs. Alturas Water Co.
dated 12-13-1909 in _____ county of Blaine
- 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 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 Hand written document

3. Source of water East Fork Big Wood River tributary to Big Wood River
4. Date or priority Jul. 30, 1888

5. Water is used for the following purpose:

amount 8.0 cfs for Irrigation purposes from 4/01 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 8.0 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
	SE	NE	SW	8	3N	18E	Blaine	Cramer #13

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	
03N	18E	20		10	30	20	6			4					30	38		40	178

Total acres 178

9. Describe any other water rights used for the same purpose as described above A 37-00133 K, L, M, N

NOT FILMED
OCT 24 1994

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

K. 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 .10 cfs 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) _____

2. Point(s) of Diversion: NO Change

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	
~~03N~~	~~18E~~	~~20~~										3	2						5
03N	18E	20																	

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 7.9 cfs 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) _____

2. Point(s) of Diversion: NO Change

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	
3N	18E	20		10	25	20	6			4					30	38		40	173

Total acres 173

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

K- 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 10 cfs 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) _____

2. Point(s) of Diversion: NO Change

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	
~~03N~~ <u>14E</u>	~~18E~~	~~20~~																	5
<u>03N</u>	<u>18E</u>	<u>20</u>																	

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 7.9 cfs 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) _____

2. Point(s) of Diversion: NO Change

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	
<u>3N</u>	<u>18E</u>	<u>20</u>		<u>10</u>	<u>25</u>	<u>20</u>	<u>6</u>			<u>4</u>					<u>30</u>	<u>38</u>		<u>40</u>	<u>173</u>

Total acres 173MICROFILMED
OCT 24 1994

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>IRRIGATION /</u> <u>HOES OF BIRD POND</u> <u>WATER</u>	<u>10 cfs (5")</u>		<u>4/01</u> to <u>11/01</u> to _____

2. Quantity and quality of return flows and location of discharge:

N/A

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

NO ADVERSE TO MINIMAL EFFECT ON WATER TRANSPORTATION LOSS

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

21st

(Signature of Applicant)

day of

September

, 19

89Thomas S. Moring

(Notary Public)

My commission expires

2-26-93**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by IC Date 9/23/89

Protest filed by _____

Prelim. check by AD

Fee

check enclosed
50.00Receipted by NRD

Date

9-25-895009344Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 2/21 & 2/23/90

Hearing held by _____

Date _____

Watermaster recommendation requested on

2/5/90

Recommended for

☐

approval

☐

denial

rec'd.

2/9/90

by _____

Copy of transfer sent to lien holder _____

Water Right Number - 37-00159

Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CRAMER

HUGH

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/30/1888 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER, EAST FORK BIG WOOD RIVER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rflg County

03N 18E 8 NE SW (13) BLAINE

+ - - - - Description - - - - - Period From - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +
Code

01 - IRRIGATION

16.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
16.000

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use - - - - - Description - - - - - County - - - - - +

03N	18E	17	NE SW	01	IRRIGATION	(13)	BLAINE
03N	18E	17	SE SW	01	IRRIGATION	(13)	BLAINE
03N	18E	17	SW SE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	NE NE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	NW NE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	SE NE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	NE NW	01	IRRIGATION	(13)	BLAINE
03N	18E	20	NE SE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	NW SE	01	IRRIGATION	(13)	BLAINE
03N	18E	20	SE SE	01	IRRIGATION	(13)	BLAINE

Total Acres:

+ - - Diversion Means - CRAMER #13 HEADGATE

+ - - Irrigation Use -

+ - - Other Rights for Same Use -

FILED
FEB 22 1993
IDAHO DEPARTMENT OF WATER RESOURCES

split

A37 - 00159

AMOUNT \$

- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

- i. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

- Is the consumptive use correct? N/A
- Are the non-irrigation uses listed properly? If this claim is on the

4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A

- (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

- Is the fee enclosed correct? Exempt _____
- If this claim is based on an existing water right, has the identification number been entered? _____

- Should this claim be receipted and data entered?

Claim checked by:

Comments: _____

RECEIVED
FEB 22 1993

Draft

09/26/2006

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

RIGHT NUMBER: 37-159B

NAME AND ADDRESS: HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 3901
KETCHUM ID 83340-3901

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS
105.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/30/1888

POINT OF DIVERSION:

T03N R18E S17 SESW Within BLAINE County

T03N R18E S20 NWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.600 CFS 105.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S17	SWNW	7.70	T03N R18E S17	NESW	3.60
T03N R18E S17	NWSW	1.90	T03N R18E S17	SESW	6.70
T03N R18E S20	NWNE	0.40	T03N R18E S20	NENW	9.70

30 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

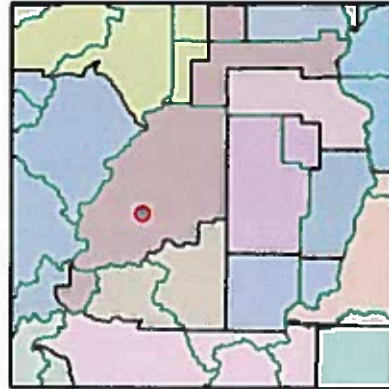
SRBA Recommendation:

37-159B

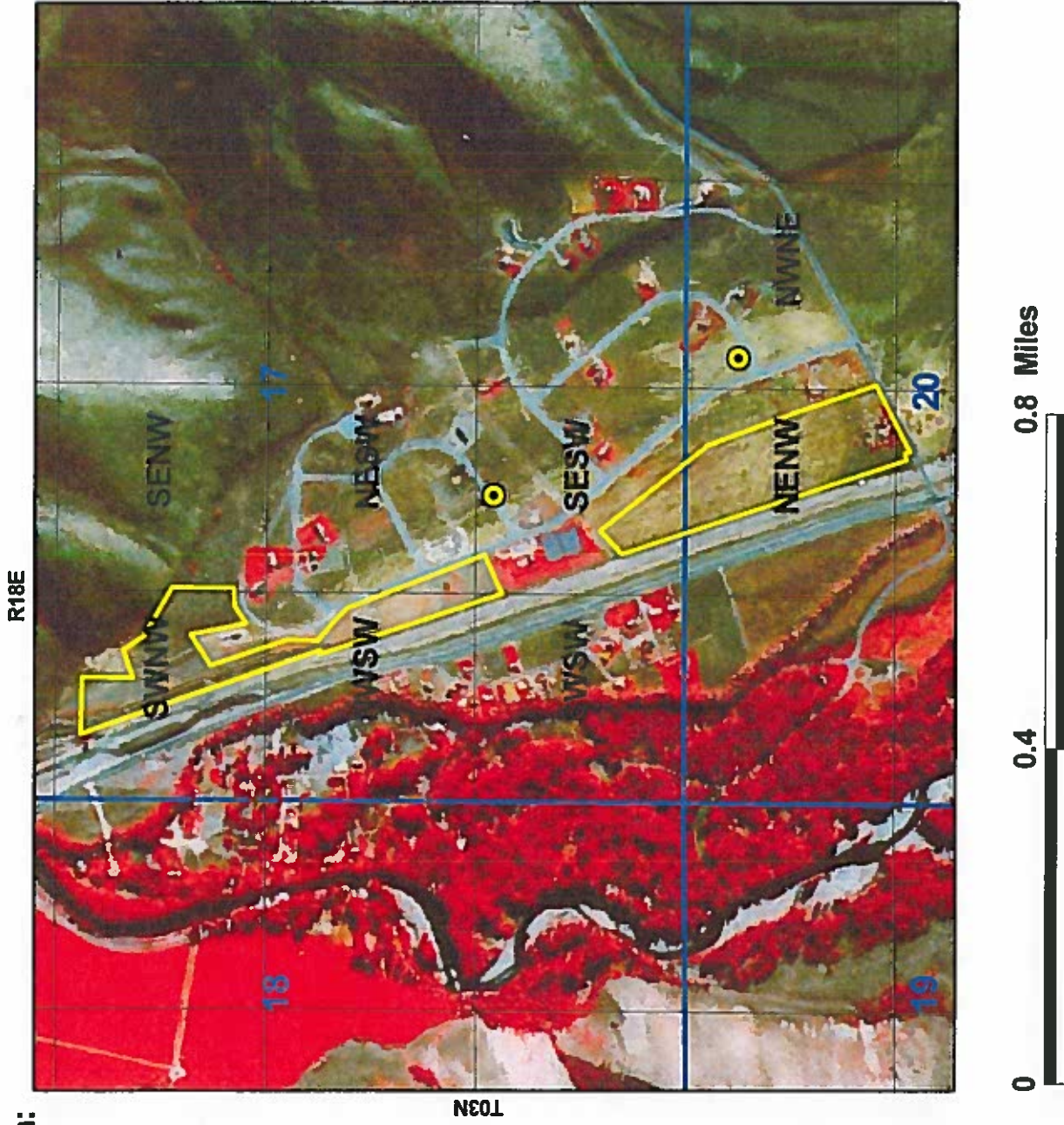
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by A. Warntjes
On Tuesday, September 26, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

37-159B

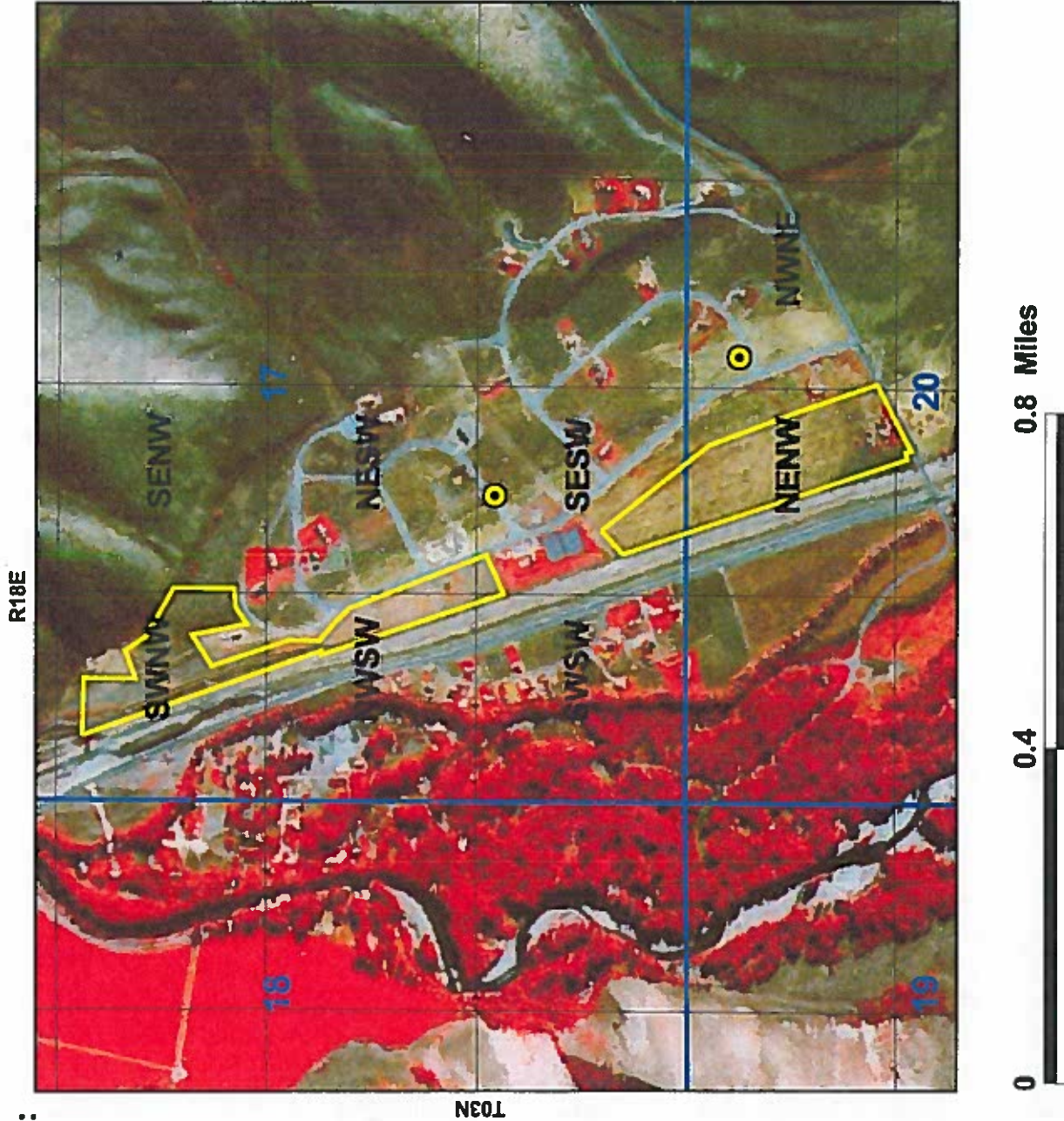
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Wednesday, September 27, 2006
1987/88 Aerial Photography

7	0134	Carter, Jonas B.	25 inches.	June 1, 1884.	Corral Creek.
7	0135	" "	25 "	June 1, 1886.	" "
7	0136	" "	35 "	June 1, 1888.	" "
7	0137	Castle, C. W.	40 "	June 1, 1889.	Silver Creek.
7	0138	" "	60 "	May 15, 1890.	" "
7	0139	Chaffey, Laura J.	150 "	June 1, 1883.	Spring Creek.
7	0140	Chaquette, Manuel	243 "	Nov. 2, 1885.	Big Wood River.
7	0141	Chamell, Eugene	10 "	Nov. 1, 1885.	Silver Creek.
7	0142	" "	20 "	Sept. 1, 1887.	" "
7	0143	" "	20 "	Apr. 1, 1888.	" "
7	0144	Cherry, James	125 "	Apr. 15, 1894.	Little Wood River. (Also shares in Little Wood River Canal Co.)
7	0145	" "	" "	June 1, 1883.	Corral Creek.
7	0146	" "	100 "	June 1, 1883.	" "
37	0147	" "	55 "	June 1, 1886.	" "
7	0148	" "	160 "	Apr. 16, 1888.	" "
7	0149	Clark, Sarah	285 "	May 1, 1888.	Little Wood River.
7	0150	Conner, George	300 "	Apr. 1, 1882.	" "
7	0151	" "	97 1/2 "	Apr. 1, 1883.	" " (Also shares in Little Wood River Canal Co.)
7	0152	Curt, Henry A., Estate of	160 "	Apr. 1, 1893.	Little Wood River.
7	0153	Constock, M. A.	300 "	Sept. 1, 1885.	Greenhorn Creek.
7	0154	" "	500 "	Dec. 13, 1887.	Big Wood River.
7	0155	Cooper, John W.	80 "	Apr. 12, 1883.	" "
7	0156	" "	40 "	May 1, 1887.	" "
7	0157	Cooper, Joseph	160 "	Dec 1, 1892.	Little Wood River.
7	0158	" "	100 "	July 1, 1881.	Big Wood River.
7	0159	Cramer, Hugh	300 "	July 30, 1888.	East Fork of Big Wood River.
7	0160	Crobbin, Alfred	160 "	Nov. 12, 1885.	Big Wood River.
7	0161	Crobin, Daniel L.	45 "	May 10, 1909.	" "

JUN 04 1896

Clark, H. L.	15 inches.	June 1, 1881.	Corral Creek.
" " "	135 "	June 1, 1883.	" "
" " "	35 "	June 1, 1886.	" "
" " "	160 "	Apr. 16, 1888.	" "
Clark, Sarah	285 "	May 1, 1888.	" "
Clark, William W.	160 "	Apr. 27, 1894.	Little Wood River.
Coates, George	30 "	Apr. 1, 1882	" " "
" "	97-1/2 "	Apr. 1, 1883.	" " "
" "			(Also shares in Little Wood River Canal Co.)
Coit, Henry A., Estate of	160 "	Apr. 1, 1893.	Little Wood River.
Comstock, M. A.	300 "	Sept. 1, 1885.	Greenhorn Creek.
" " "	500 "	Dec. 13, 1887.	Big Wood River.
Cook, John W.	80 "	Apr. 12, 1883.	" " "
" " "	40 "	May 1, 1887.	" " "
Cooper, Joseph	160 "	Dec. 1, 1892.	Little Wood River.
Cramer, E.	100 "	July 1, 1881.	Big Wood River.
Cramer, Hugh	800 "	July 30, 1888.	East Fork of Big Wood River.
Crebbin, Alfred	160 "	Nov. 2, 1885.	Big Wood River.
Cronin, Daniel L.	65 "	May 10, 1909.	" " "
Crothers, Albert D.	160 "	Dec. 12, 1901.	" " "
Darrah, Ben.	65 "	June 1, 1890.	" " "
" "	145 "	June 1, 1891.	" " "
" "	75 "	June 1, 1891.	" " "
" "	70 "	Oct. 20, 1902.	" " "
" "	145 "	Oct. 20, 1902.	" " "
Darrah, Hattie B.	280 "	Oct. 20, 1902.	" " "
Darrah, J. S.	136 "	May 1, 1883.	" " "
" " "	81 "	June 1, 1903.	" " "
Davis, Arthur, and T. S. Eastwood	50 "	July 1, 1886.	Rock Creek.
Do.	40 "	Aug. 25, 1885.	Certain springs trib- utary to Rock Creek.

JUN 04 1996

Clark, William W.

Coates, George

Coit, Henry A.,
Estate of

Comstock, M. A.

Cook, John W.

Cooper, Joseph

Cramer, E.

Cramer, Hugh

Crebbin, Alfred

Cronin, Daniel L.

Crothers, Albert D.

of Sec. 5, T. 1 S., R. 13 E., -- 320 acres.
SE 1/4 of Sec. 3, T. 2 S., R. 21 E., 160 acres.
S 1/2 of SW 1/4 of Sec. 21, and S 1/2 of SE 1/4
of Sec. 20, T. 2 S., R. 21 E., -- 160 acres.

NW 1/4 of SW 1/4 of Sec. 5, N 1/2 of SE 1/4 and
SE 1/4 of SE 1/4 of Sec. 6, T. 5 S., R. 19 E.,
containing 160 acres.

NE 1/4 of Sec. 7, NW 1/4 of SE 1/4, S 1/2 of SE
1/4 and SE 1/4 of SW 1/4 of Sec. 7, NE 1/4 of
Sec. 18 and E 1/2 of NW 1/4 of Sec. 18, and NW
1/4 of NW 1/4 of Sec. 17, T. 3 N., R. 18 E.

NE 1/4 of SE 1/4 of Sec. 16, and W 1/2 of NW 1/4
of SW 1/4 of Sec. 15, T. 2 N., R. 18 E., con-
taining 60 acres.

SW 1/4 of Sec. 10, T. 2 S., R. 21 E., containing
160 acres.

Part of the W 1/2 of NW 1/4 of Sec. 9, T. 2 N.,
R. 18 E., adjoining and Westerly of the Village
of Hailey, containing 80 acres, more or less.

SE 1/4 of SE 1/4, N 1/2 of SE 1/4, SE 1/2 of NE
1/4, NE 1/4 of NW 1/4 and NW 1/4 of NE 1/4 of
Sec. 20, SW 1/4 of SE 1/4 and E 1/2 of SW 1/4
of Sec. 17, T. 3 N., R. 18 E., -- 400 acres.

SW 1/4 of NE 1/4 and W 1/2 of SE 1/4 of Sec. 6,
and NW 1/4 of NE 1/4 of Sec. 7, T. 2 S., R. 18
E., containing 160 acres.

NE 1/4 of NE 1/4 of Sec. 28, and NW 1/4 of NW 1/4
of Sec. 27, T. 5 S., R. 14 E.

N 1/2 of SE 1/4, SW 1/4 of NE 1/4, and Lot 2, of
Sec. 3, T. 4 S., R. 18 E., -- 160-1/2 acres.

JUN 04 1996

**HEATHERLANDS HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS 1994**

Sue Hamilton
Box 2833
Ketchum, ID 83340
home: 208-788-5173
work: 208-726-7500
Lot 100

John Ranck - President
Box 531
Sun Valley, ID 83353
home: 208-788-2632
Lot 17

Parkman Brooks - Secretary
Box 415
Ketchum, ID 83340
home: 208-788-9667
Lot 67

Carol Morrow
Box 5208
Ketchum, ID 83340
home: 208-788-3254
work: 208-726-4477
Lot 80

Stan Atkinson
Box 5979
Ketchum, ID 83340
home: 208-788-9622
Lot 51

Will Miller
Box 1030
Sun Valley, ID 83353
home: 208-788-0034
fax: 208-788-0075
Lot 55

Bob Dittmer
Box 1316
Sun Valley, ID 83353
work: 208-726-3600
home: 208-788-5452
Lot 11

Jay Johnson - Treasurer
Box 2703
Ketchum, ID 83340
home: 208-622-5735
work: 208-726-2294
work: 208-726-9019
Lot 001

Jay Sheets - Vice President
Box 4876
Ketchum, ID 83340
home: 208-788-5913
Lot 72

**MICROFILMED
NOV 21 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

November 3, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Amendment of SRBA Claim A37-00159B
HEATHERLANDS HOMEOWNERS ASSOCIATION

Dear Mr. Speck:

Pursuant to the approval of Transfer No. 4649, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your client's claim records have been modified. Please check these modified records over carefully to verify they correctly reflect the intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

MICROFILMED
NOV 21 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4649
WATER RIGHT NO. 37-00159D

S-ADJ
RECEIVED

AUG 28 1995

Department of Water Resources
Southern Region

This is to certify that: **HEATHERLANDS HOMEOWNERS ASSN INC**
PO BOX 3901
KETCHUM ID 83340

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>
IRRIGATION	04/15 to 10/15	0.60 CFS	105.0 AF

SOURCE

GROUNDWATER

Priority: 07/30/1888*

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 17, Township 03N, Range 18E
NWNE , Sec. 20, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	17	SWNW 7.7	NESW 3.6	NWSW 1.9	19.9
			SESW 6.7			10.1
		20	NWNE 0.4	NENW 9.7		30
Total number of acres irrigated:						30

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
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.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

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NOV 21 1996

TRANSFER NO. 4649
WATER RIGHT NO. 37-00159D

CONDITIONS/REMARKS:

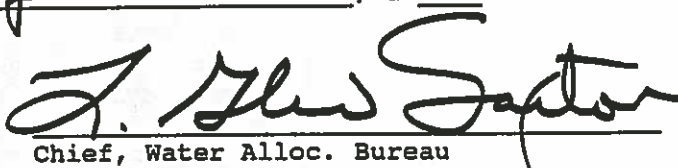
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions 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.
7. 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.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. The total instantaneous diversion of water from all points of diversion under Transfer No. 4649 shall not exceed 0.60 cfs, nor total combined annual volume of 105.0 af.
10. The portion of Right No. 37-00159D described as 7.40 cfs has been abandoned through approval of Transfer No. 4649.
- *11. Diversion of groundwater is limited to those times water is available for diversion under this right and priority from the original source, Big Wood River, East Fork.

Dated this 21st day of

August

, 19

95


Chief, Water Alloc. Bureau

MICROFILMED
NOV 21 1996

MEMORANDUM

TO: RIGHT NO. 37-00159A
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4649
DATE: August 14, 1995

Transfer No. 4649 was filed to change place of use and source, and change and add points of diversion to a portion of Right No. 37-00159A, splitting the right into parts C and D.

This decreed surface water right is being transferred to two existing wells to irrigate specific acres that are used as a common area for Heatherlands Subdivision. Subdivision lots are irrigated under groundwater Permit No. 37-08220 and the applicant wants to continue to irrigate the common ground from the surface water right through diversion from wells to a sprinkler system.

The use of water under this transfer approval will be limited to those times water is available under this right and priority from the original source and under the watermaster's control. The applicant has acknowledged that the portion of the right in excess of the standard of 0.02 cfs/acre, 7.40 cfs, would be abandoned and no longer used.

Season of use and diversion volume were adjusted to current standards. Other recommended conditions include irrigation overlap, multiple points of diversion/measuring devices, future reporting, right-of-way, and standard transfer conditions.

MICROFILMED

NOV 21 1995

AUG 07 1995

FROM: Allen Merritt

DATE: August 7, 1995

TO: Transfer File # 4649

SUBJECT: Review and Recommendation

The subject transfer proposes to change the source from the Big Wood River and divert the water from two existing wells. The original right from the river is for a very large flow rate in excess of 1"/acre and in the change the rate will be reduced to 1"/acre. Review of watermaster records and the lands show that the right has been maintained so forfeiture doesn't appear to be an issue. Lands proposed to be irrigated will be less than original right.

I recommend that the transfer be approved subject to the following conditions:

-Subject to SRBA review.

-Both wells shall have installed measuring devices and a means of control and the use of wells shall be reported annually.

-Both wells are under the control of the watermaster of water district 37 and the use of this right is subject to regulation with the priorities of rights on the Big Wood.

-The portion of this right in excess of 1"/acre is forfeited. (8.0cfs - 0.60cfs) or shall remain in the river as mitigation for using groundwater.

-This transfer does not allow the drilling of any new wells.

MICROFILMED

NOV 21 1996

From: DWR03::DSHAFF
To: DWR60::DJONES
CC: DSHAFF
Subj: Trans. 4650

12-JUL-1995 08:58:32.85

I'm looking at the New Water Right Listing report. In it is the Head transfer application for 37-00113_ (WRS 37-00113D & E or AJs A,R37-00113F). I am not saying the amount is wrong but I do question 1.24 cfs for conveyance loss with a switch to groundwater at a POD in the same tract as the new POU that consolidates the present POU. By comparison in the same report Transfer 4649 for 37-00159A loses 7.4 cfs and leaves an inch to the acre where the POU is scattered through the subdivision.

The purpose raising the flag is to make sure light is shed on the question in the review process in the early stages as the application makes its way to the State Office allocation section for action.

Thanks

MICROFILMED

NOV 21 1996

A37-00159B

From: DWR60::DJONES
To: DWR03::DSHAFF
CC: DJONES
Subj: transfers 4649, 4650

12-JUL-1995 11:05:45.31

Don:

I have reviewed the transfers relative to your mail message and I don't understand what you are asking. Both users appear to be abandoning a large portion of their water rights as they switch sources (from surface to ground). It would seem that the watermaster (Lee Peterson) will retain jurisdiction and be able to shut off the wells when surface water would not be able to be delivered to the former diversions. This will be a source of annoyance to the watermaster and the water users. Allocation agents have reviewed the former useage, and though they (or an SRBA agent) have not done a claim review, it has been substantiated that there is not an issue of "clear and convincing" evidence of forfeiture (in the interpretation style recently applied to the Marathon Partners rights sold to Blaine County School and others in granting their new appropriation applications with "mitigation"). Is there something I'm missing? Is there an adjudication issue I haven't considered?

Thanks for the heads up.

Doug

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NOV 21 1996

A37-00159B

From: DWR03::DSHAFF 12-JUL-1995 11:59:45.68
To: DWR60::DJONES
CC: DSHAFF
Subj: RE: transfers 4649, 4650

The notice in the listing report that I presume is the copy for the legal ad. states "Approval of this pending transfer application will result in a conveyance loss of 1.24 cfs as well as change from surface water diversion to a groundwater diversion." Mary also put this point in her Comment in T37-00113D. From my view Water Allocation has the decision, but certainly AJ has the responsibility to provide input. Again my initial reaction is questioning whether the right when changed should have any conveyance loss at all.

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NOV 21 1996

A37-00159B

From: DWR60::DJONES 12-JUL-1995 12:31:28.82
To: DWR03::DSHAFF
CC: DJONES
Subj: RE: transfers 4649, 4650

Don:

I see where you're coming from. My review of the file indicates that the agent identified that the "conveyance loss" must have occurred thru passage down a long (~4 mi) ditch and that by converting to pressure irr from the well that a limit of 1 MI/ac is applied. The ambiguity lies in the terms used in the advertisement, a result of clerical interpretation of a technical fine point. It would have been best to say that the right will be reduced by 1.24 cfs previously attributable to conveyance loss. This change may adversely affect other users by reducing recharge to the aquifer as well as increasing ground water withdrawal, but that's what public notice is for. Allocations may or may not account for the cumulative effects and decide accordingly.

I don't think that I've totally addressed your concerns so please let me know what is on your mind and I'll pursue it with the agent or personally.

Thanks,

Doug

MICROFILMED

NOV 21 1998

A37-00159B

From: DWR03::DSHAFF 12-JUL-1995 13:50:35.01
To: DWR60::DJONES
CC: DSHAFF
Subj: RE: transfers 4649, 4650

You have reached a point I thought I could if I looked into the matter. Yes, the input to the State Office (Allocations) from the region I would suggest is the approval for the transfer would be at only 1 MI/Ac. with 1.24 disappearing, unless the region finds other factors warranting slightly more than 1 MI/Ac.

My objective in bringing this one up has been met. Historically Allocations has not, in my view, been pro-active in reviewing transfers. Of late I have seen that habit changing through the prodding of staff outside the Allocations unit. Memories of the "fights" over transfers in the past are still lingering, however.

Jim and I have a cooperative working relationship, and an informal transfer policy says AJ and WR will work together initially at the region level and as necessary at the S.O. level to review transfer appls. By AJ investing in the process now avoids the potential pain of "administrative finality" if transfer approval is flaky and did not get a thorough review beforehand when the time for a Director's Report comes due.

Thanks for doing your part.

MICROFILMED

NOV 21 1996

A37-00159B

TO: File

DATE: June 21, 1995

FROM: Jim Stanton

SUBJECT: App. for Transfer, Heatherlands Homeowners

Last month I met with the subdivision manager at his office on the property. We discussed the proposed transfer. Based on this visit, I have changed the proposed P/U on the transfer to reflect the present desires of the applicant. The ASCS 1000-scale photo shows the subdivision, although there are not many homes on the photo. At least the roads are shown.

The 1964 ASCS photo shows about 80 irrigated acres on the original farm. The subdivision was started in 1979. The watermaster has indicated that this right has been delivered thru the Cramer Ditch within the last 5 years, although it has not been available a couple of years due to the drought. This right appears to still be valid. They want to irrigate about 30 acres, including land at the north end of the subdivision that was not irrigated in 1964. The overall acreage will still be much less than the original farm. By converting from gravity irrigation to sprinklers, the water right will be used much more efficiently. The right should be limited to 0.60 cfs and 105 AFA upon approval of the transfer, which would actually benefit other users by leaving more water in the river. Although they will be irrigating some land that has never been irrigated, they will be using much less than the original right to do it with the more-efficient well and sprinkler system. There does not appear to be sufficient data to deny this transfer, so recommend approval.

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NOV 21 1996

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4649APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Weatherlands Homeowners Assn, Inc Phone 622-5249
Post Office address P O Box 3901; Netchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use ~~as recorded~~
☐ Change nature of use ☐ Change period of use ☒ Other split right
2. Describe the reason for the proposed changes The flume and ditch that delivers our surface right has deteriorated. It is not economically feasible to repair it. We want to divert this water from our existing wells that serve the subdivision. This surface water will be used on the subdivision's common area.

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

1. Right Number	Priority	Amount (cfs/ae-ft)	Nature of Use	Period of Use
<u>37-00159D</u>	<u>7-30-1888</u>	<u>1.12 cfs</u> * <u>0.60</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u> to to to

2. Total amount of water being transferred * 1.12 0.60 cubic feet per second and/or * 196 105 acre-feet per annum.3. Source of water Big Wood River - East Fork tributary to Big Wood River4. Point(s) of Diversion: * Changed per telecon w/ Ben Davis 6-22-95

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SW	17	3N	18E	Blaine	Existing Well
	SW	NW	NE	20	3W	18E	"	"

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	
3N	18E	17							7.7		3.6	1.9		6.7					19.9
		20			0.4				9.5										10.8

MICROFILMED
NOV 21 1995Total acres 30

PART 1

6. General Information:

a. Description of diversion system Two existing wells to a pressurized sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ 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:

Irrigation of subdivision lots is covered by permit 37-08220. We want to continue irrigating common area with our surface water right.

d. Remarks:

We own 8.0 cfs and part of the land appurtenant to decreed right 37-001. We want to transfer the water to two existing wells. We acknowledge that the approval of this transfer will relinquish our portion of the right in excess of .02 cfs per acre for the land approved in the transfer.

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 _____

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NOV 21 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. 37-00159A Decreed to Hugh Cramer
 in case of SC Trust, et. al vs. Alturas Water Co. et. al
 dated 12-13-1909 in Lincoln county of _____
- 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. 3633 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 Big Wood River - East Fork tributary to Big Wood River
4. Date or priority 7-30-1888

5. Water is used for the following purpose:

amount 15.9 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 15.9 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
		NE	SW	8	3N	18E	Blaine	Herdgate #13, Cramer 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	
3N	18E	17									X			X			X		
		20		X	X	X	X								X	X		X	

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NOV 21 1996

Total acres _____

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

None

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 1.12 8.0 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	8	3N	18E	Blaine	

3. Lands irrigated or place of use: Original Farmland north of Ohio Gulch Road

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	
3N	18E	19									15	4		34			4		59
		20			10			19											29

Total acres 84

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 7.9 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	8	3N	18E	Blaine	

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	
3N	18E	20		X	X	X	X								X	X		X	

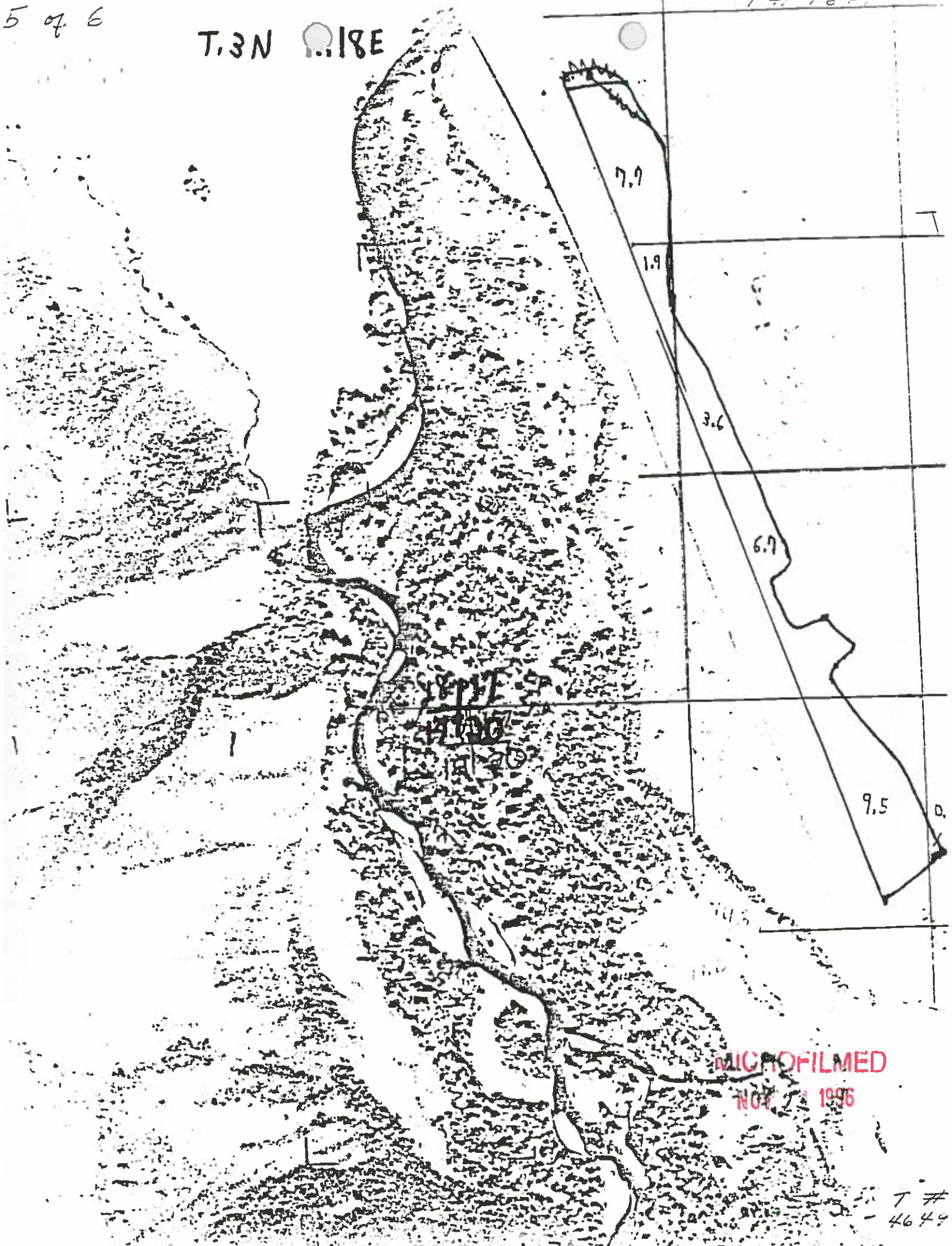
MICROFILMED
 NOV 21 1990

Total acres _____

5 of 6

T.3N 0.18E

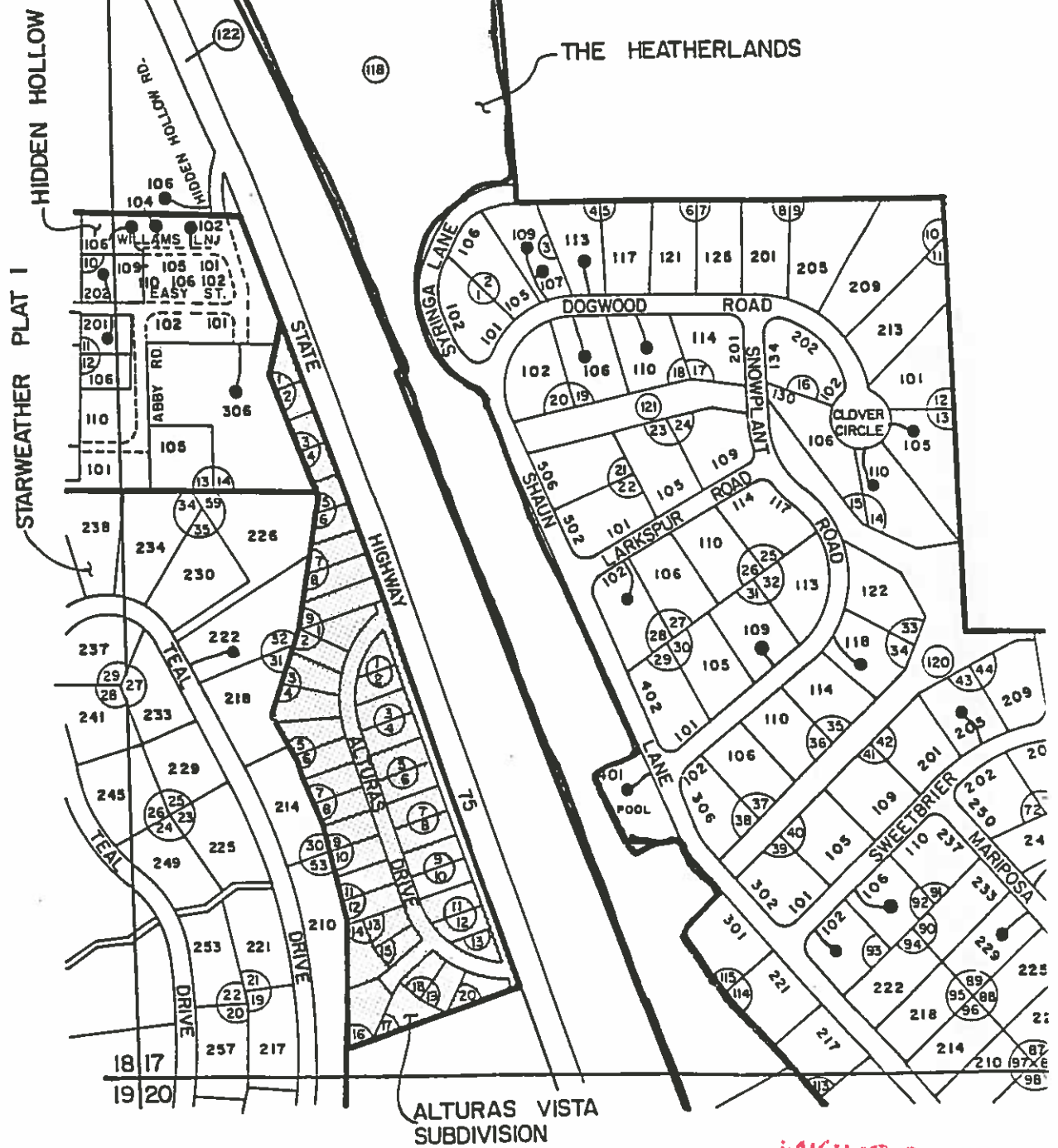
T # 4647



1811
1812
1813

MICROFILMED
NOV 1 1996

T #
- 4647



NOTE:
See Enlarged Detail
Page 1914-A

MICROFILMED
NOV 21 1996
SEC. 17, T. 3

7 # 4649

COOK SUBDIVISION NO. 2

COOK SUBDIVISION

106
GREENHOUSE LNI

THE HEATHERLAN

STARWEATHER PLAT

ZINC SP

MICROFILMED
NOV 21 1955

T# 4649



NOV 2 1991

T # 4119

415
118

163

89
1710

1716
2021

20
329

2421
2127

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NOV 21 1996

17/10/20

20/10/20

20/10/20

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NOV 21 1996

T # 4109

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.

Heatherlands Homeowners Assn. Inc.

x by [Signature], Treasurer

(Signature of Applicant)

14th

day of

November

, 19 90



Subscribed and sworn to before me this

[Signature]

(Notary Public)

My commission expires

2-4-97

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by MTS Date 12/7/94

Prelim. check by Q. G. Stanton Fee \$100 (5017596)

Receipted by MTS Date 12-7-94

Published in Wood River Journal

Pub. dates 7/12 & 7/19/95

Watermaster recommendation requested on 7/6/95

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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NOV 21 1994

Department of Water Resources
Southern Region Office

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C004246

Date: 12/21/88
Time: 10:36:49

Received

From: HOGUE, SPECK & AANESTAD

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE-HEATHERLANDS HMDOWNRS	0410162 9337 6490	\$106.00
Total		\$106.00

CHECK 8674

WR/NO: A37-00159

Idaho Department of Water Resources

Region: STATE

Signature: *Shirley Harrison*

MICROFILMED
FEB 22 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNLAP

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3167

October 26, 1988

RECEIVED

OCT 27 1988

CERTIFIED MAIL

Department of Water Resources
Twin Falls Region Office

Idaho Dept. of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301
Attn: Jim Stanton

RE: Snake River Basin Adjudication
Notices of Claims to Water Rights
Heatherlands Homeowners Association

Dear Jim:

Enclosed you will find the original Notice of Claim to Water Rights which we have prepared on behalf of Heatherlands Homeowners Association for the following-described water right:

1. 37-0159

Also enclosed is a check in the sum of \$106.00 to cover the filing fee for this claim.

Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
encl.
cc: Thomas Bowman

MICROFILMED
FEB 22 1993