

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2305A V1

WATER RIGHT NUMBER: 29-2305A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J W CREER
Current Owner	BANCROFT, ID JULIE L HOLBROOK PO BOX 127 BANCROFT, ID 83217 (208)648-7851
Current Owner	TODD C HOLBROOK PO BOX 127 BANCROFT, ID 83217 (208)648-7851

Priority Date: 06/18/1951

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	3.010 CFS	906.50 AF
<u>Total Diversion:</u>		3.010 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 6,	Twp 08S,	Rge 40E, B.M.
CARIBOU County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	39E	1				34.0									37.0			39.0	110.0
08S	39E	12	40.0			33.0													73.0
08S	40E	6							38.0		38.0								76.0

Total Acres: 259

Conditions of Approval:

1. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

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Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. rwarner 10/25/2002 quantity
 Comment: claimed diversion rate of 3.44 cfs was reduced to 3.01 cfs per water right split documentation. Total volume amount was based upon 3.5 AFA x 259 acres.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/25/2002 11:47:19 AM	rwarner			Active
Priority Date	10/25/2002 11:48:27 AM	rwarner			Active
POD	10/25/2002 11:49:04 AM	rwarner			Active
POU	10/25/2002 11:57:31 AM	rwarner			Active
Use	10/25/2002 11:58:47 AM	rwarner			Active
Season	10/25/2002 12:03:45 PM	rwarner			Active
Quantity	10/25/2002 3:01:23 PM	rwarner			Active
Source	10/25/2002 3:17:18 PM	rwarner			Active
Summary			10/25/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

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Summary	10/25/2002 3:23:29 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Contacts	10/25/2002 11:47:20 AM	rwarnar	(No) 1. Do you want to schedule an appointment?
POD	10/25/2002 11:49:05 AM	rwarnar	Comment for 1: desktop review (Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Priority Date	10/25/2002 11:48:28 AM	rwarnar	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	10/25/2002 11:57:31 AM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	10/25/2002 11:58:48 AM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2305A V1

Season	10/25/2002 12:03:45 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	10/25/2002 3:01:24 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - This water right was split with 29-230B. Description for Question 10 - Total amount was 740 AF. 87 AF was transferred to water right 29-2305B leaving approx. 653 AF.
Source	10/25/2002 3:17:19 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

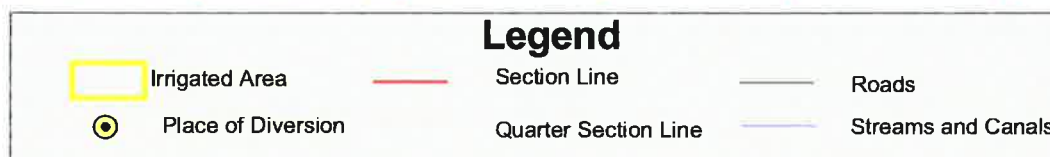
Water Right Claim Number A29-02305A
Townships , 8S40E, 8S39E

09/08/2000

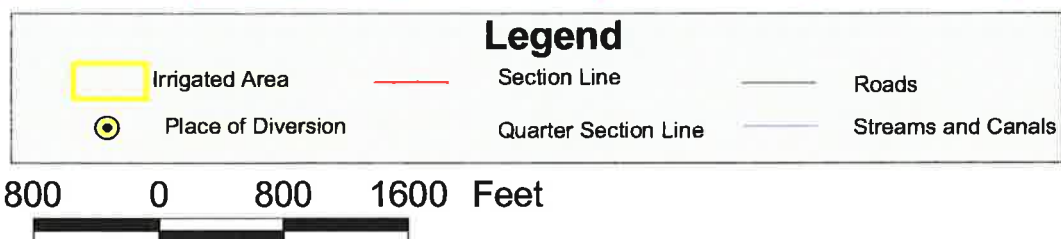
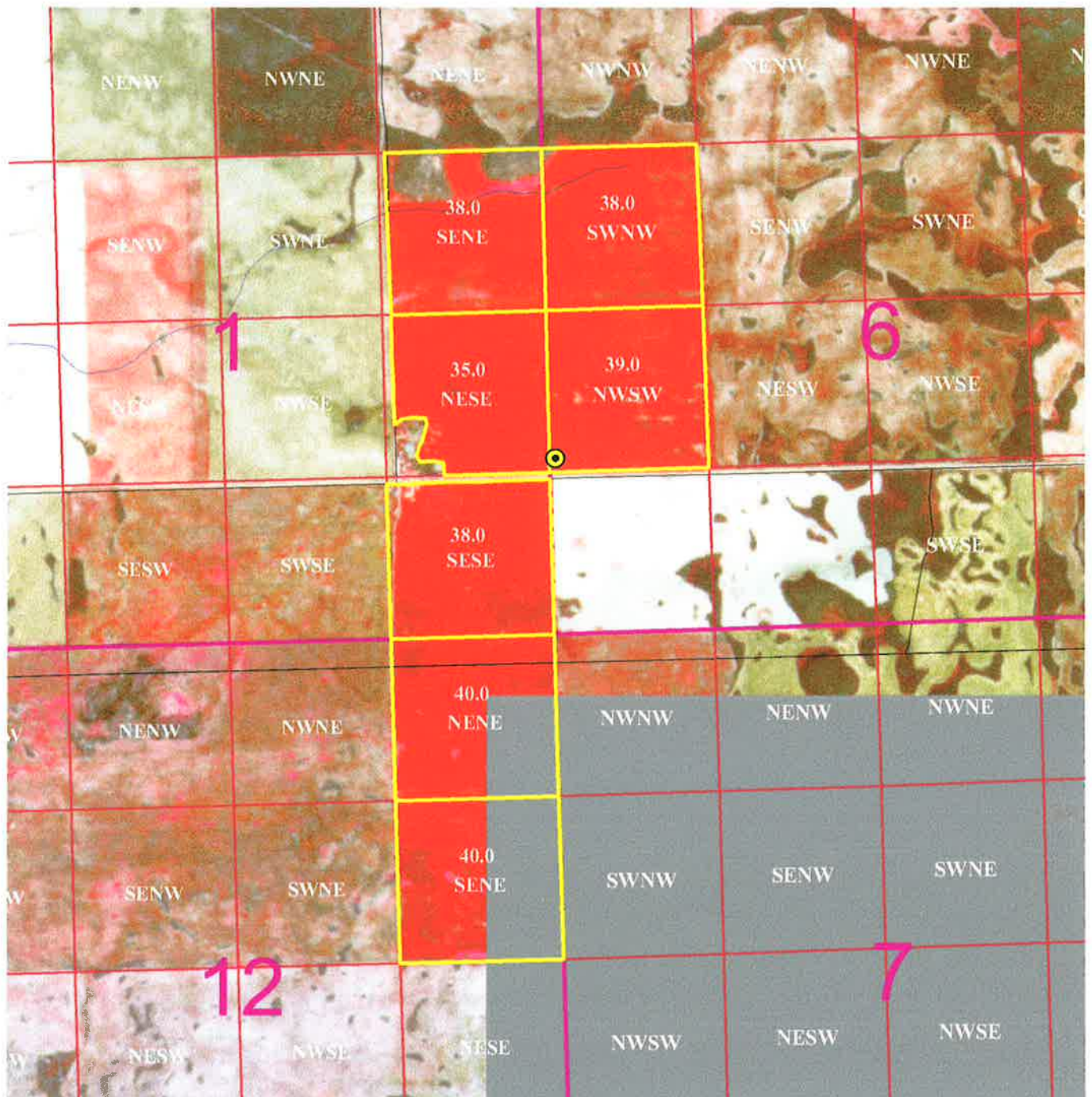


Water Right Claim Number A29-02305A
Townships , 8S40E, 8S39E

09/08/2000

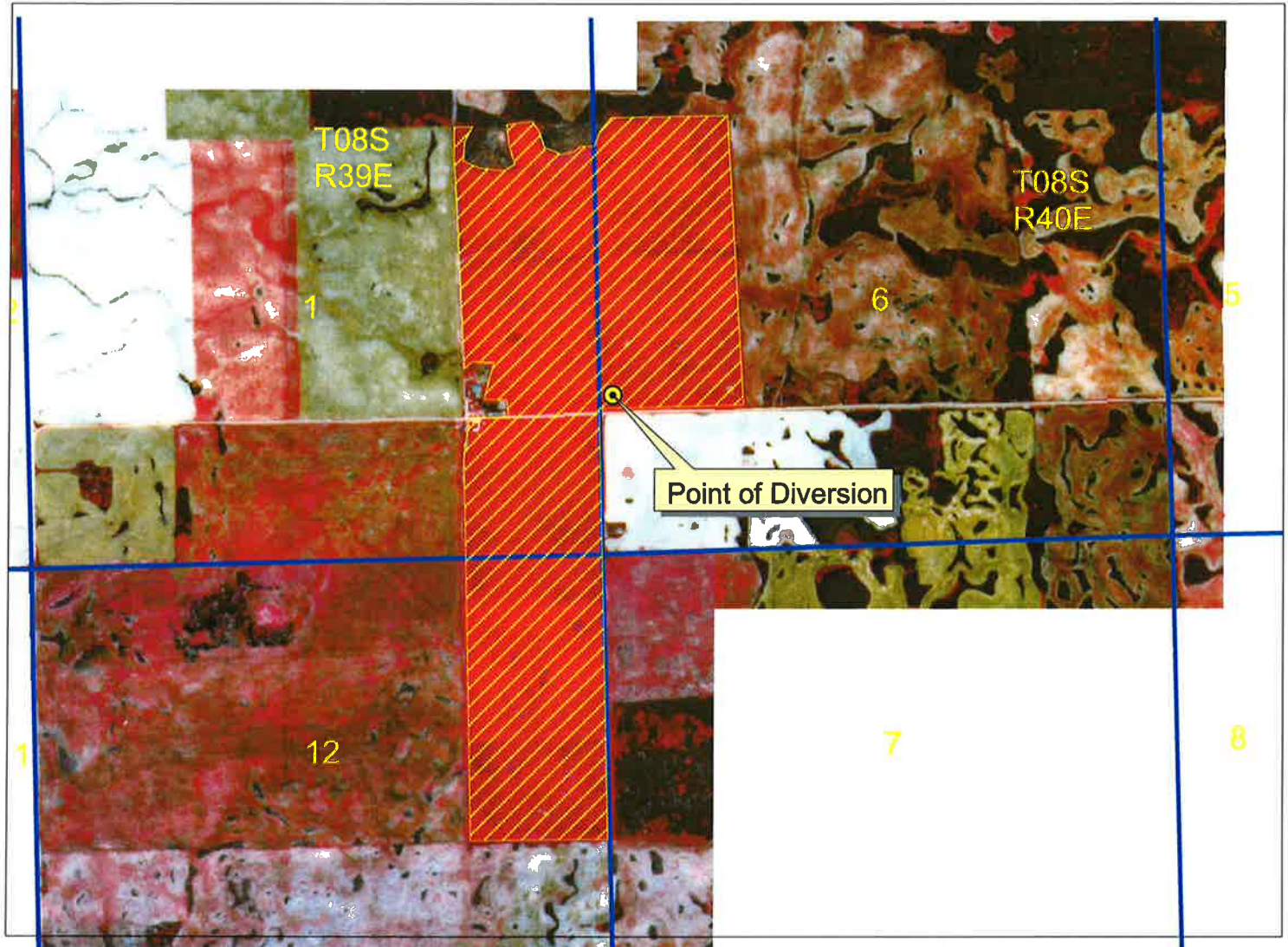


09/08/2000





State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-2305A

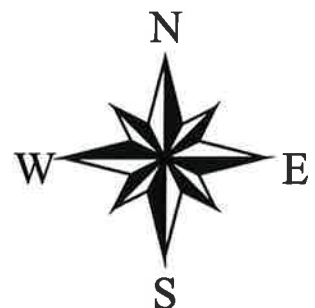


0.4 0 0.4 0.8 Miles

Irrigated Acres = 259

-  **Well.shp**
-  **Place of use.shp**
-  **Sections**

SCANNED
JAN 23 2006



SCANNED

MAY 4 2001

Log for claim A29-02305A

Spatial Dynamics LTD

9/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s39e	1	SENE	34	38	
08s39e	1	NESE	37	35	
08s39e	1	SESE	39	38	
08s39e	12	NENE	40	40	
08s39e	12	SENE	33	40	
08s40e	6	SWNW	38	38	
08s40e	6	NWSW	38	39	
Totals:			259	268	

AJ5809NP
No. A29-02305A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/00
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TODD C HOLBROOK	06/18/1951	IRRIGATION	04-01 11-01	3.440 CFS	
C	JULIE L HOLBROOK					
	PO BOX 127					
	BANCROFT ID 83217			TOTAL DIVERSION:	3.010 CFS	
	(208) 648-7851			CONSUMPTIVE USE:		647.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R40E S06

SWNWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE								
T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	SUM
08S	39E 1	:								:						:	37				39	110.0
08S	39E 12	:	40							:						:						73.0
08S	40E 6	:								:						:						76.0
																				TOTAL ACRES	259.0	

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02305

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 12/01/95 CFRITSCH



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 26, 1995

TODD OR JULIE HOLBROOK
PO BOX 127
BANCROFT ID 83217

RE: Snake River Basin Adjudication (SRBA)
Caribou County - #A29-02305A
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from #A29-02305 to A29-02305A. The suffix "A" has been added to the number because Transfer #3959 resulted in a split of this water right. Your claim should now reflect the portion of the water right you retained after the transfer.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Please refer to this record number in any future inquiries or correspondence.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CF:ss:region
Enclosure:

Computer-generated Copy of SRBA Claim #A29-02305A

MICROFILMED
NOV 13 1996

State of Idaho License and Certificate of Water Right

Water License No. G-22216

Amount 3.44 c.f.s.

Water District No. _____

Priority June 18, 1951

THIS IS TO CERTIFY that J. W. CREER
of Bancroft, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 18, 19 51; that Permit No. G-22216
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.44 second feet, was issued thereunder on January 2, 19 58, showing that said works
were completed on the 12th day of April, 19 55; and that on the 12th
day of April, 19 55, J. W. CREER

of Bancroft, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-22216 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6243, on the 2nd day of January, 19 58;
The right hereby confirmed dates from June 18, 19 51;

The Point of Diversion is located
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, Tp. 8 S., R. 40 E., B. M. County Caribou

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	40 E.	6	SW $\frac{1}{4}$ NW $\frac{1}{4}$	---	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	---	40
		7	NW $\frac{1}{4}$ NW $\frac{1}{4}$	---	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	38	40
	39 E.	1	NE $\frac{1}{4}$ SE $\frac{1}{4}$	37	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	40
		12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	35	40
			Total number of acres irrigated - - -320		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
2nd day of January, 19 58.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

WR5809NP
No. 29-02305A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/23/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J W CREER	06/18/1951	IRRIGATION	04/15 10/15	3.010 CFS	
TOTAL DIVERSION:					3.010 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R40E S06

NWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	39E 1					40										40		120.0
08S	39E 12	40				40												80.0
08S	40E 6							40				40						80.0
TOTAL ACRES																	280.0	

Pou County: CARIBOU

Other Water Rights Listing Overlapping Place(s) of use:
29-00482A 29-00483

Dates:	App. Received:	Priority Date:	06/18/1951
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/14/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 07/13/92 CURTIS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2305A

WATER RIGHT NUMBER: 29-2305A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J W CREER
	BANCROFT, ID

Priority Date: 06/18/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.010 CFS	
	<u>Total Diversion:</u>	3.010 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 6,	Twp 08S,	Rge 40E, B.M.
CARIBOU County				

Place of UseIRRIGATION Within CARIBOU County

T08S R39E S01	SENE	40.0	T08S R39E S01	NESE	40.0
T08S R39E S01	SESE	40.0	T08S R39E S12	NENE	40.0
T08S R39E S12	SENE	40.0	T08S R40E S06	SWNW	40.0
T08S R40E S06	NWSW	40.0			
Total Acres: 280					

Conditions of Approval:Remarks:Comments:Dates and Other Information:

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Chemstar Lime Company Phone 602-955-5711Post Office address 2800 N. 44th Street, Suite 400, Phoenix, AZ 85008

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 To make water available for Chemstar Lime's mine and plant near Bancroft, Idaho.

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

1. Right Number G-22216/29-2305 B* Priority 6/18/51 Amount (cfs/ac-ft) 0.12 cfs Nature of Use Mining, mineral processing, Industrial, domestic, fire protection and environmental Period of Use 1/1 to 12/31
0.43 * to _____
 to _____
 to _____
2. Total amount of water being transferred 0.12 * cubic feet per second and/or 87 acre-feet per annum.
0.43
3. Source of water groundwater tributary to N/A (but within the Portneuf River Basin)
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SW	3	~~8S~~	40E	Caribou	Tenmile Plant Well
					8S*			

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	
7S	40E	34				X	X	X	X	X	X	X	X	X	X	X	X	X	N/A
7S	40E	35							X			X	X						N/A
8S	40E	3	X	X			X	X	X+2	X									N/A
8S	40E	4				W													N/A

RECEIVED

JUL 21 1992

OCT 23 1992

NOV 13 1992

PART 1

6. General Information:

- a. Description of diversion system Well approximately 500 feet deep with 483 feet of steel casing and a 15 horsepower pump. Water from the well is piped to the Chemstar facility.
- 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:
The 296 acres of crop land currently under irrigation will be reduced by 34.8 acres to provide the necessary 87 acres feet of water required by the Chemstar mine and plant assuming 2.5 acre feet of water is necessary per acre of irrigated crop.
- d. Remarks:

See attachment A.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-02305B

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

OCT 23 1992

Witness my hand this

7th

day of

October

19 92

J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. G-22216/29-2305 * 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 _____

3. Source of water Ground water tributary to N/A (but within the Portneuf River basin)

4. Date or priority June 18, 1951

5. Water is used for the following purpose:

amount 740 acre feet* for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount 3.44 for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.44 cubic feet per second and/or 740 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	8S	40E	Caribou	

8. 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	
8S	40E	6						40	40										80
8S	40E	7						40											40
8S	39E	1				40								40				40	120
8S	39E	12	40			40													80

Total acres 320

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 ~~87 ac-ft~~ for irrigation purposes from 4/1 to 11/1 *
 (cfs/ac-ft) 0.43 * for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion: PART B

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	85	40E	Caribou	

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	
85	40E	7						40											40

Total acres 40

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

1. amount 3.01 * for irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion: PART A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	85	40E	Caribou	

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	
85	40E	6						40	40										80
85	39E	1				40								40			40		120
85	39E	12	40			40													80

Total acres 280

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

1. New Nature of Use Amount Hours/days/year Period of Use
 * ning, mine processing, industrial 87 ac-ft 0.43 24 hrs/day 1/1 to 12/31
domestic, fire protection & environmental See attached sheet

2. Quantity and quality of return flows and location of discharge:
No return flow

3. Describe effects on other water uses resulting from the proposed change:
None.

* Changes made by Jim Johnson 7/13/92

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.

Jeffrey C. Freeday

(Signature of Applicant) Applicant's Attorney-in-Fact

Subscribed and sworn to before me this 9th day of July, 19 92.



Julie Best-Gilster
 (Notary Public)

My commission expires 4-26-95

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Jim Date 7-13-92 Protest filed by _____

Prelim. check by G.S. Fee 50.00

Receipted by Jeffrey C. Freeday Date 7/15/92 #C024930-200
#C024932-300

Published in Caribou County Sun Copies of protest forwarded by _____

Pub. dates 7-16 & 23-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RP

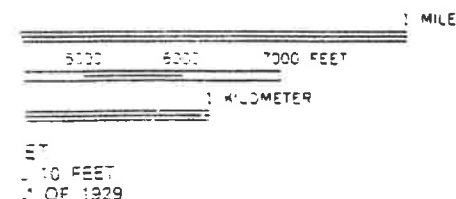
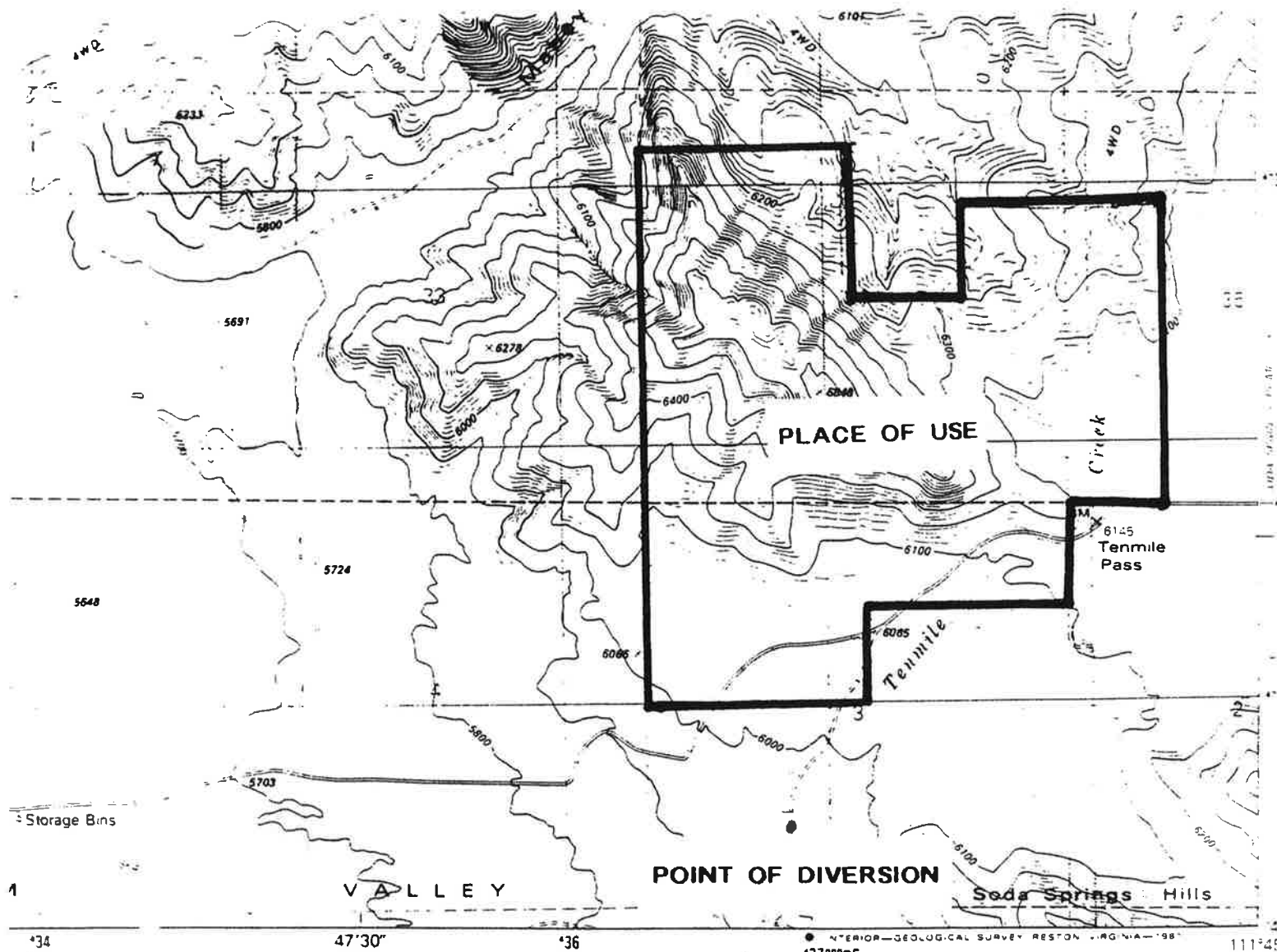
Copy of transfer sent to lien holder _____

OCT 23 1992

NOV 13 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION 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 rights described in part 1. Clearly depict the land by section, township and range number.



OCT 23 1992
 IDAHO
 QUADRANGLE LOCATION

ROAD CLASSIFICATION

Primary highway hard surface
 Secondary highway hard surface
 Light-duty road hard or improved surface
 Unimproved road
 Interstate Route
 U S Route
 State Route

HATCH, IDAHO

SE 4 PORTNEUF 15 QUADRANGLE
 N4245-W1145.7 5

1981

CURACY STANDARDS
 1 80225, OR RESTON, VIRGINIA 22092
 LS IS AVAILABLE ON REQUEST

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 29-02305B

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. 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.
3. Approval of this transfer expires upon the expiration of the lease agreement on April 15, 1995. If the lease is extended, the transfer will remain in effect throughout the extension period. A new application for transfer must be filed before water can be returned to the original point of diversion and place of use.

Dated this 7th day of October, 1992.

J. Glen Saylor
for Chief, Water Alloc. Bureau

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OCT 23 1992

NOV 13 1992

ATTACHMENT A

This application proposes to dry up 34.8 acres in order to deliver 87 acre-feet of consumptive use for the Tenmile plant. This calculation assumes 2.5 acre-feet of c.u. per irrigated acre. However, as indicated in Part 2.B.3 of the application, applicant actually proposes to dry up 40 acres of land because it is infeasible to operate Holbrook's sprinklers on the remaining 5.2 acres on the tract. Thus, the actual c.u. being accounted for in this application is 100 acre-feet.

More importantly, because the 1992 irrigation season is approximately one-half gone, the applicant recognizes that irrigation already has occurred at the original place of use under the Holbrook right and that drying up 40 acres now presumably would account for only about 50 acre-feet of c.u. Accordingly, for this irrigation season only, the applicant has secured from Mr. Holbrook another portion of his water right, sufficient to irrigate another 40 acres of land, which also will not be diverted for the remainder of this irrigation season. This additional 40 acres is the SE quarter of the NE quarter of section 12, T.8S, R39 E. Thus, the applicant has accounted for approximately 100 acre-feet of consumptive use that applicant is entitled to use by virtue of its lease arrangement with Mr. Holbrook.

For the 1993 water year and thereafter, this transfer would involve only the dry-up of the 40 acres specified in the application.

Applicant of course recognizes that this transfer involves a change in time of use—an irrigation season right is being diverted at a lower rate on a year-round basis to deliver the same (actually a smaller) amount of consumptive use. Applicant believes that this plan will have no adverse impacts on the aquifer in the Portneuf drainage, and actually may involve less of an impact than the exercise of the right before the change.

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NOV 13 1992

OCT 23 1992

-09-92 02:43PM FROM GIVENS PURSLEY

TO 16487387

P002/002

LIMITED POWER OF ATTORNEY

Chemstar Lime Company ("Chemstar"), a ^{ARIZONA} corporation, by and through Stuart Schasteen, Chemstar's duly authorized agent and manager of Chemstar's Tenmile Plant near Bancroft, Idaho, hereby designates and appoints Jeffrey C. Perceday and Christopher H. Meyer of the Boise, Idaho law firm of Givens, Pursley, Webb & Hundley as its attorneys-in-fact for the purpose of executing, on Chemstar's behalf, all documents necessary to complete and file with the Idaho Department of Water Resources any application or petition to transfer or change any water rights for use at or pertaining to the operation of the Tenmile Plant. The signature of either Mr. Perceday or Mr. Meyer for this purpose shall be deemed to be that of Chemstar itself.

Dated this 9th day of July, 1992.


Stuart Schasteen

RECEIVED

OCT 23 1992

MAY 4 2001

RECEIVED

DEC 28 1995

Department of Water Resources
Eastern District OfficeIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02305A

Date Received: 1/16/1990

Receipt No: M005524

Received By: _____

COPY FOR
YOUR FILESNOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAWCOPY FOR
YOUR FILES1. Name: TODD C HOLBROOK
Address: PO BOX 127
BANCROFT ID

208-648-7851

83217

AND/OR

Name: JULIE L HOLBROOK
Address: PO BOX 127
BANCROFT ID

208-648-7851

83217

2. Date of Priority: JUN 18, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	40E	6	SW	NW	SW		CARIBOU

5. Description of diverting works:

WELL WITH 150 HP. MOTOR BOWLS SET AT 180' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.440		

7. Total Quantity Appropriated is:

3.010 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

647.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

MICROFILMED

NOV 13 1995

A2902305A

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	39E	1	SE		NE ✓		IRR	34.0
			NE		SE ✓		IRR	37.0
			SE		SE ✓		IRR	39.0
Section Acres								110.0
		12	NE		NE ✓		IRR	40.0
			SE		NE ✓		IRR	33.0
Section Acres								73.0
	40E	6	SW		NW ✓		IRR	38.0
			NW		SW ✓		IRR	38.0
Section Acres								76.0
Total Acres								259.0

11. Place of use in counties: CARIBOU

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: LICENSE

Water Right Number: 22216

RECORDED
NOV 13 1995